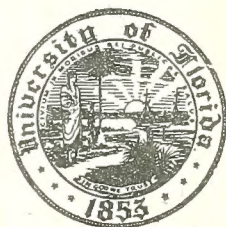


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THE IRISH ECCLESIASTICAL RECORD

A Monthly Journal,

UNDER EPISCOPAL SANCTION.

THIRD SERIES.

VOLUME VI.—1885.

“ Ut Christiani ita et Romani sitis.”

“ As you are children of Christ, so be you children of Rome.”

Ex Dictis S. Patricii, Book of Armagh, fol. 9.

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THE IRISH ECCLESIASTICAL RECORD.

JANUARY, 1885.

SANATIO IN RADICE.

A GOOD many numbers of the RECORD have appeared since the following purpose was announced:—¹

“Although it is proverbially easier to pull down than to build up, still we purpose in a future number to give our own views regarding the origin, nature, and effects of a dispensation *in radice*. If we cannot agree with our esteemed correspondent, we are not the less thankful to him for the zeal and the learning he has manifested in his valuable papers.”

Our readers may remember that the distinguished correspondent referred to had maintained with much ingenuity, that whenever a *sanatio in radice* is granted, the marriage was really valid from the beginning, and that the effect of the *sanatio* in such cases is “nothing more than judicially to recognise the case submitted to have been exempted from the impediment, and, therefore, to declare it a good and valid marriage *ab initio* notwithstanding the impediment.”

We observed at the time that the writer by adopting one false premiss, was driven by the very logical acuteness of his mind, to this novel conclusion. He accepted without question the opinion held by Perrone (De Mat. Christiano, L. ii., sect. i., cap. iv., art. iii.), and attributed by him to Benedict XIV., that this form of dispensation is available even after the retractation of the original consent.

On this supposition it is no wonder that our correspondent saw no escape from the difficulties of the position except in the theory of the initial validity of the marriage.

¹ I. E. RECORD, March, 1882, p. 171.

And, without doubt, if it could be proved that the *sanatio in radice* had been granted, or could be granted after the original consent had been *actually* and *efficaciously* withdrawn, this theory would seem to be almost the only one capable of intelligible defence. For, marriage is a contract, and every valid contract necessarily requires the *consensus duorum in idem placitum*. As this consent does not exist after its retractation, the marriage rendered valid by the *sanatio*, must have been valid before the retractation took place, and, therefore, *ab initio*.

But, as it cannot be shown that Benedict XIV., or indeed any other of the Supreme Pontiffs, ever granted a *sanatio in radice* after the actual withdrawal of the original consent (unless, on the condition of its renewal), this theory is deprived of all solid foundation.

We must look elsewhere, therefore, for an explanation of this particular form of matrimonial dispensation. In giving the exposition which seems to us to be the true one, our only fear is that instead of being encompassed with difficulties, it will be looked on with mistrust on account of its very simplicity. Some readers will probably refuse to accept it, simply because it recognises no mystery—no special difficulty even—connected with a question which so many have been in the habit of regarding as a theological *crux*.

We may begin by remarking that marriage as a natural contract, is placed under the dominion of the Natural Law, and as a Sacrament or sacred contract, is subject to the legislative power of the Church, just as civil contracts are under the jurisdiction of the State.

Strictly speaking, the Natural Law admits of no dispensation, because it commands what is intrinsically good and obligatory, and it forbids what is intrinsically bad and sinful. But the laws of the Church, like the laws of the civil power, admit of multitudinous change and relaxation. Sometimes it is found that the application of a particular law presses too severely on individuals who, on account of the peculiar circumstances of their position, would have to suffer in some way not intended by the legislator, unless the law were relaxed in their favour.

Sometimes, too, the effects that have already followed from the enforcement of the law are found to be, as regards particular parents or their children, exceptionally severe, and admittedly injurious. The supreme power, both in Church and State, has surely authority to make provision for these exceptional cases. The legislator may, as is obvious,

not only exempt such persons from the operation of the law in regard to the future, but he may also annul the inconvenient effects that have followed from the enforcement of the law in regard to the past. That is to say, he may provide that in these exceptional cases, those who have suffered unduly, or those to whom the supreme ruler wishes to extend a special favour, are to be henceforth regarded *as if* they had not been brought under the operation of the law from the beginning. He may, therefore, command that such persons, or their children, are to be spoken of, and are to be treated in all respects as if they had never suffered from the operation of the law. In a word, he may restore them to that legal position which they would have enjoyed if they had never been affected by the particular law.

Nor is this a mere question of words or of empty forms. On the contrary, such a relaxation or annulling of the law, with a retrospective effect, produces very substantial results compared with an ordinary dispensation. An example or two will serve to bring out the difference clearly. Down to a recent period we frequently find amongst the legislative enactments of the English Parliament, bills of attainder, or bills of pains and penalties, as they were sometimes called. The usual consequences of such extreme penalties included forfeiture of real and personal estate, corruption of blood, &c. The removal of these penalties might be effected either by the king's pardon, or by an express Act of Parliament. In the former case, new inheritable blood was imparted, so that the children born after the pardon had been granted, might inherit from their once attainted father. But in the latter case, when the attainder was removed by a special Act of Parliament, the children born before the removal of the attainder, as well as those born after, were entitled to their lawful inheritance.

Thus, we read that in the case of Lord Stafford, who had been attainted by the Long Parliament, the attainder was reversed after the restoration of Charles II., and all the records of the proceedings against him were cancelled by Act of Parliament. Were he living, therefore, he would have been restored to the same position in the eye of the law, as if he had never incurred the penalty of attainder.

No man could make use of the attainder for the purpose of withholding from him, or from his children, any of the rights or privileges they would have enjoyed if the attainder had never been passed.

Let us now take an example borrowed from ecclesiastical legislation. This example is all the more useful, as it is constantly referred to by canonists as the *type* of the *sanatio in radice*.

Boniface VIII. had prohibited, under pain of excommunication to be incurred *ipso facto*, the levying of tribute on ecclesiastical property or persons. The payment of such tribute, or taxes, as we should call them, was forbidden under the same censure. After a time it was found that the prohibition could not practically be observed, and the penalty in the circumstances led to no small amount of perplexity and of inconvenience. Accordingly, Clement V., in the Council of Vienne, consulting for the tranquillity of souls, not only revoked the Constitution of Boniface VIII., but furthermore annulled all the effects that had already followed from the promulgation of that Constitution. "Nos," he says, "de consilio fratrum nostrorum, Constitutionem et Declarationem seu Declarationes praedictas, *et quidquid ex iis secutum est, vel ob eas, penitus revocamus, et eas haberi volumus pro infectis.*" The Gloss, commenting on the words, "*pro infectis*," observes, "*per haec puto quod excommunicatus ex viribus illius Constitutionis (Bonifacii) absolutione non egeat. Et vide quanta est papalis potestas circa ea quae simpliciter sunt de jure positivo, quia revocat illa uti ex tunc.*"

Here we have the well-known text of Canon Law, *Clement. Quoniam, de Immunitate Ecclesiarum*, which supplies the distinction between a dispensation *ex nunc* and *ex tunc*, and which is so frequently referred to as the key for the proper understanding of the nature of a *dispensatio* or *sanatio in radice*.

What, then, did this revocation of Clement V. effect? 1°, It caused the excommunication to cease, so that those who afterwards levied tribute on ecclesiastical property did not incur the censure. 2°, It annulled the excommunication and its effects in case of those who had previously incurred them. 3°, It commanded all men to speak of those persons, and to treat them, as if they had always remained free from the excommunication.

Hence, in any legal or judicial proceedings, referring to events which occurred even while the censure lasted, the excommunication could not be quoted as a bar to any right or privilege these persons might claim. They were in fact restored to that position in the eye of the law which they would have occupied if they never had been excommunicated persons.

Still this did not set aside the *fact* that they had been excommunicated, just as the reversal of Lord Stafford's attainder did not undo the *fact* that he had been attainted.

In both cases there was a double action—one producing its effects *ex nunc*—namely, the removal of the excommunication, and the reversal of the attainder; the other *ex tunc*—namely, the restoration of those legal rights and privileges previously withheld by the excommunication and by the attainder.

Men were not bound, indeed, to believe that the attainder or the excommunication had never been incurred, but they were bound to regard these civil and ecclesiastical punishments *as if* they never had any existence in these individual cases.

Now, there is nothing mysterious, nothing incomprehensible in this exercise of temporal or of spiritual authority. On the contrary, it will be readily conceded that the exercise of such power is at once reasonable, and required for the equitable administration of both civil and ecclesiastical law.

But, in truth, there is hardly more difficulty in understanding the meaning of the *sanatio in radice* as applied to an invalid marriage, than there is in understanding the retrospective effects of the reversal of the attainder, or of the annulling of the excommunication. For, what is a *sanatio in radice*? It is such a revocation of the existing canonical impediment as will recognize the sufficiency of the original consent (virtually persevering) to constitute *now* a valid marriage, and as will legally annul all the effects which have hitherto followed from the existence of the impediment. This is substantially the meaning attached to the *sanatio* from the time of Benedict XIV. to the present day. It will be sufficient to cite one or two modern authorities:—

“*Sanatio autem in radice, praeter valorem matrimonii nunc oriturum, id ex potestate Ecclesiae efficit ut alii effectus v.g. legitimatio prolis et quae ab illa pendent, ita sustineantur ac si matrimonium ab initio validum fuerit.*” (Lehmkuhl, *De Mat.* n. 828.)

“*Quare matrimonium in praesenti vires accipit per huiusmodi legis revocationem, qua subtrahitur id quod impedimento erat quominus consisteret, illudque consideratur veluti ab initio validum, proindeque omnes effectus juridici qui ex lege prohibente prodierunt ex sese, ita coram lege disparent, ac si nunquam extitissent.*”—(Zitelli, *De Disp. Mat.*, p. 104, n. iii.)

“Restat ut realis effectus hujus actus potestatis locum tantum in praesenti et futuro possit habere, sed cum respectu ad praeteritum. Scilicet abrogata lege irritante consensus conjugum perseverans, ut supponitur, evadit eo ipso efficax ad gignendum vinculum conjugale ut proinde opus non sit ulla renovatione consensus, neque ut conjugibus dispensatio manifestetur, si sint in bona fide.” Palmieri (*De Mat. Christ.* Thesis xxxv., n. vi.).

What, then, are the effects of the *sanatio in radice*?

1° It removes the existing diriment impediment.

2° It renders the marriage valid *ex nunc*.

3° It dispenses with the necessity of a renewal of consent.

4° It annuls *ex tunc* the legal effects which, in the particular case, the canonical impediment created.

5° It therefore gives to the children born during the existence of the impediment the canonical status of legitimate children.¹

6° It imposes on all the obligation of recognising the marriage *as if* it had been valid *ab initio*.

These effects clearly define the difference between the ordinary dispensation and the *sanatio in radice*. In case of the ordinary dispensation the previous consent is of no account. It is not at all recognised by the Church. The chief effect of the ordinary dispensation is, to make it possible for the parties to give *now* a valid consent. But when a *sanatio in radice* is granted, the original consent is still the *radix* of the valid marriage. Hitherto, owing to the impediment, that consent produced no effect; but now, when the impediment is removed, it exercises its full influence and creates a valid marriage.

Again, in case of the ordinary dispensation, there is no retrospective effect produced. The subsequent marriage will, no doubt, to a certain extent, cause the children previously born to be regarded as legitimated *ex nunc*.

¹ Whether this effect extends to the *civil* rights of the children is a question on which theologians are not quite agreed. Very many, following Sanchez and Benedict XIV., hold that temporal rulers are bound to recognise the retrospective effect of the *sanatio in radice*, and, therefore, to deal with the children of a marriage to which it has been applied, as legitimate children.

Others with Palmieri (*l. c.*) maintain that though it is very congruous, still it is not obligatory on temporal rulers, to recognize *in temporalibus* the legitimacy of the children. Hence, he concludes, “Quocirca videri posset non dammandus Princeps violatae ecclesiasticae auctoritatis, qui v. g. successionis jura negare vellet proli natae ex matrimonio invalido etsi dispensatio (in radice) sequatur.”

But it will not legally remove the antecedent disqualification.

In regard to the last effect mentioned, Palmieri (l. c.) well observes that the *sanatio* by no means compels men to believe that the marriage was valid from the beginning, but it obliges them to treat it for all practical purposes *as if* it had been valid. "Fit praeterea," he says, "ut hoc matrimonium debeat ab omnibus juridice spectari *tanquam* legitime contractum ab initio, prolesque ante dispensationem suscepta *tanquam* legitime nata. Non fit quidem ut homines judicare debeant matrimonium ab initio fuisse legitime contractum; hoc falsum est, nec ulla est potestas, quae ad falsum asserendum cogere nos possit; sed fit ut haberi debeat matrimonium *tanquam* ab initio legitime peractum, exclusis omnibus effectibus impedimenti dirimentis quod abrogatur."

It should be observed, too, that these effects are separable one from the other. Thus, if there be no children, the chief object of the *sanatio* may be to dispense with the necessity of a renewal of the consent. If there be children born of the union of the parties, a main object of the *sanatio* usually is to establish the legitimacy of these children.

It has been asked whether the *sanatio in radice* may be granted in the interest of the children, after the death of one, or even of both of the parents.

Although it is true that in this case the full definition of *sanatio* cannot be verified, still it is equally true that in consideration of the original consent, and its perseverance till the death of one, or of both the parents, the Pope may annul the effects of the diriment impediment *ex tunc*, and therefore give the children the legal status of legitimate children. With a proper understanding of its meaning there can be no inconvenience in classing this operation under the title of *sanatio in radice*.

From what we have said it is sufficiently obvious that certain conditions must be present before a *sanatio in radice* can be granted. First of all there must be question of an *ecclesiastical* impediment. The Supreme Pontiffs have never undertaken to grant a *sanatio* when there was question of an impediment instituted by the Divine or by the Natural Law. "De juris naturalis presse dicti impedimentis non est quod loquamur," says Perrone (l. c.) sed neque de impedimentis divini juris ambigi potest. . . .

ac proinde nunquam ac nusquam ecclesia sanavit matrimonium initum cum actuali impedimento ligaminis quod juris divini est. Ex quo sequitur omnia conjugia quae inita fuerint cum aliquo impedimento sive juris presse naturalis, sive juris divini, esse omnino insanibilia."

Secondly.—The parties must have intended *ab initio* to contract marriage, and, therefore, must have given mutual consent sufficient *per se* for a true marriage, "alioquin deest radix quae sanetur . . . ut enim ait Benedictus XIV., in copula manifeste fornicaria nulla est radix matrimonii." Perrone (l. c.)

Hence the parties to the contract must either be ignorant of the impediment, or if conscious of its existence they must have been mistaken regarding its diriment effect.

If one of the parties be conscious of the impediment, and consequently *mala fide* in expressing consent, or afterwards comes to knowledge of the impediment, practically speaking a *new* consent must be given by that party, and in such circumstances the full meaning of the *sanatio* cannot be realized. "Quod si alteruter putativorum conjugum nullitatem matrimonii scivit, aut antea sanationem comperit, ille practice novum consensum dare debet: haec igitur non perfecta sanatio in radice est, sed solum alterius conjugis ignari consensus in radice sanatur." (Lehmkuhl, De Mat. n. 831.)

Thirdly.—It is required that the consent originally given should not have been *absolutely* withdrawn. It must, therefore, *virtually* or *habitually* persevere. The necessity of this condition is obvious. The marriage was not valid by reason of the original consent, on account of the impediment. When, therefore, the marriage contract comes into existence on the removal of the impediment, the consent which creates the contract must be present.

From the fact that a *sanatio in radice* was granted, even after one of the parties had applied to the Ecclesiastical Courts for a declaration of the nullity of the marriage, as occurred in some of the cases mentioned by Benedict XIV., Perrone was led to believe that the *sanatio* could be granted notwithstanding the absolute withdrawal of the consent by one of the parties concerned.

But he was not warranted in drawing from the premises such a conclusion. All they prove is that the person applying for a declaration of the invalidity of the marriage had an *interpretative* wish to withdraw from the supposed

marriage; not that he had absolutely and efficaciously withdrawn the original consent. "*Si sola est velleitas discedendi, non vero propria voluntas, nil impedit quin ecclesia matrimonium sanare possit. At etiam in magnis discordiis vix aliud concipitur aut concipi potest a discorde conjuge quam sola velleitas discedendi ab altero, et a vinculo matrimonii. . . Et re quidem vera, teste Benedicto XIV., sanatio data est matrimonii cujus solutionem vir jam petierat, sed ex causa quae vana erat et quam S. Congr. rejecerat, quum postea reipsa ab uxore quae instabat pro sanatione manifestaretur aliud impedimentum vere dirimens quod censebant viro esse incognitum.*" (Lehmkuhl, l. c. n. 831.)

Fourthly.—An urgent cause is required. No doubt the Supreme Pontiff could, if he so desired, grant a *sanatio* without such a cause. But the grant would be invalid if in the application the urgency of the cause were notably exaggerated. This form of dispensation is a departure from the ordinary procedure of ecclesiastical jurisprudence; it is exposed to more risk than the ordinary form, because it relies on the consent originally given, and dispenses with the necessity of its renewal. It is not, therefore, desirable to have recourse to it except in cases of recognized necessity.

The causes usually admitted as sufficient are clearly set forth by Cardinal Caprera in his Instructions to the French Bishops in 1801.

They are, 1°. When there is question of the invalidity of a large number of marriages, such as occurred in France after the Revolution, where, as is obvious, the necessity of a renewal of consent in each case would be attended with grave danger and inconvenience.

2°. Where the impediment is known to neither of the parties, and cannot be made known without grave danger that one or other would refuse to renew the consent.

3°. Where the invalidity of the marriage arises from the neglect or oversight of the Ordinary, parish priest, or confessor.

4°. Where it is very desirable that the children should obtain the benefit of the fullest form of legitimation.

5°. Where, as we have said already, one of the parties is aware of the impediment, but it cannot be manifested to the other without risk or scandal, as in the case of the impediment of affinity arising *ex copula illicita*.

We have now given what appears to us to be the true meaning, the circumstances, and the effects of this peculiar form of matrimonial dispensation. As the result of our necessarily brief inquiry, we are disposed to adopt the words of D'Annibale (*De Matr.* n. 377. Nota 22): "*Haec sanatio [in radice] in qua explicanda quidam ex Nostris et ex Canonistis, quasi in re nodosa laborant, res est, si quid opinor, expedita.*"

✠ THOMAS J. CARR.

THE LAW OF CHARITABLE BEQUESTS IN IRELAND.

I.—INTRODUCTORY.

IT was once remarked by Lord Cairns, in giving judgment in a case well known to lawyers,¹ that "there is not, perhaps, one person in a thousand, who knows what is the technical and the legal meaning of the term 'charity.'"

It is not, indeed, to be supposed that this judicial dictum was intended to apply to the members of that learned profession of which Lord Cairns is so distinguished an ornament. And on the other hand, as regards the public at large, it may perhaps seem that the absence of minutely accurate knowledge on a point of law so purely technical as this can involve no inconvenience, as surely it implies no reproach. In the making of wills, no doubt, the services of a legal adviser are not always within reach. And in many such cases it may be necessary to make provision for charitable, as well as for other bequests. But, to those who are not acquainted with the special complications that surround this branch of the law, it may perhaps appear that for the due making of a "charitable" bequest it is by no means necessary to have an accurate knowledge of the technical legal meaning of the term "charity"—no more, for instance, than it is necessary to be able to define with technical accuracy the legal meaning of such terms as "chattels" "real" and "personal," things "corporeal" and "incorporeal," legacies "general," "demonstrative," and "specific," in order validly and safely to bequeath a sum of money, or a collection of books, as a gift to a friend.

¹ *Dolan v. Macdermot*, Law Reports, 3, Ch. App. 678.

In truth, however, the cases are widely different. The law of England treats "charitable" bequests—that is to say, bequests for purposes that come within the technical legal meaning of the term "charity"—as exempt from the operation of one of the fundamental principles of law, a principle, indeed, so wide in its application that no other exception to its operation is recognised. This special provision, it is well to note, is far from being a penal one, operating unfavourably upon "charitable" bequests. Its effect, on the contrary, is to uphold the validity of certain forms of bequests, when made for "charitable" purposes, which, if made for any other purpose whatsoever, should be unhesitatingly set aside by the courts as void. Moreover, in Ireland, a further special favour is shown to bequests recognised by the law as "charitable." For, in this country, such bequests are, within certain well-defined limits, altogether exempted from the charge of legacy duty.

Now, in the law whether of England or of Ireland, bequests thus favourably dealt with as "charitable," in the legal sense of the term, are separated only by the narrowest of lines from those to which no such special consideration is shown. In many cases, indeed, the omission of a simple clause, or even of a single word, in the written statement of a testator's disposition of his property, may have the effect of transferring a bequest from one side of this line to the other, and thus of unnecessarily subjecting it to the heavy drawback of ten per cent. as legacy duty, or, possibly, of rendering it altogether void in law.

It is still more important to bear in mind that, from the principles on which our courts have acted, and which have thus become, until reversed by superior judicial or legislative authority, a portion of the common law of the land, the special privileges conferred by the law on "charitable" bequests apply only in those cases in which the limitation of the bequest to some "charitable" purpose is *clearly imposed by the terms of the will*. Thus, then, it may easily occur that from the absence of accurate knowledge of the technical legal meaning of the term "charity," the intentions of a testator may be frustrated in either of the respects already mentioned. The employment, for instance, of a general form of words, however fully *consistent* with the application of the bequest to "charitable" purposes, will not suffice to bring the bequest within this favoured class. In order fully

to secure the advantages conferred by the law on bequests for "charitable" purposes, the application of the bequest to purposes of this class must be imposed as a matter of legal *obligation*, so, in fact, that its application to any purpose not "charitable" would involve a breach of trust. This remark holds good even when the circumstances of the case are such as to leave no practical doubt that the testator *intended* the bequest to be applied to a purpose strictly "charitable," and even, moreover, when the bequest has, as a matter of fact, been thus *applied* by the executor or trustee.

Furthermore, as regards the exemption, in Ireland, of charitable bequests from legacy duty, the preceding remarks are to be understood not only in reference to the "charitable" nature of the bequest, but also in reference to the imposition of the special condition under which such bequests, in Ireland, are entitled to this privilege of exemption. The drift of this observation, and the importance of the point to which I thus wish to direct attention, will, for the present, be made sufficiently apparent by reference to a case, *Attorney-General v. Delany*, decided a few years ago, in the Irish Court of Exchequer.¹

This was an action brought by the Irish Attorney-General, as guardian of the interests of the public Treasury, claiming payment of legacy duty on a bequest of considerable amount, which had been left for certain charitable purposes, including "the Education of Clergymen for the Foreign Missions." The trustees charged with the execution of the bequest were the Most Rev. Dr. Delany, Bishop of Cork, and the Very Rev. the President of our Irish Missionary College of All Hallows'.

Now it is to be borne in mind, that a bequest for the education, in *All Hallows' College*, or elsewhere in *Ireland*, of clergymen, whether for the Irish or for the Foreign Mission, is not only a "charitable" bequest, in the legal sense of the word, but is, moreover, entitled to the benefit of that favourable provision of the law which exempts such bequests, in Ireland, from the payment of legacy duty. In the argument on behalf of the Attorney-General, it was in no way questioned that it was the *intention* of the testator that the bequest should be thus applied. Neither was it questioned that the bequest would, *as a matter of fact*, be thus applied by the trustees. It was, indeed, on the contrary, most naturally and properly assumed that the President of

¹ Irish Reports. 10 Common Law, page 104.

All Hallows', being thus entrusted with the administration of a valuable bequest "for the education of clergymen for the Foreign Missions," would, as a matter of course, apply it for their education in his own College, established and maintained, as that College is, exclusively for this very purpose. Furthermore, if any legal undertaking to this effect were required by the Court, it would have been most willingly entered into.

But notwithstanding all this, the Court unanimously decided that the bequest was not entitled to the privilege of exemption from legacy duty, inasmuch as no *obligation* of thus expending the money in a College in Ireland was imposed upon the trustees *by the terms of the will*, which, from the absence of any provision to this effect, manifestly left it open to them to expend it, unlikely as it was that they should think of doing so, in Paris, Salamanca, Rome, or elsewhere.

"To bring the case within the statute," said the Chief Baron, in delivering judgment, "the legacy must be for a charitable purpose *in Ireland*. There must be a clear intention *manifested upon the face of the will* that the purpose should be *effected here*, and there must be an *obligation* on the trustees to apply the money in Ireland. It is not enough that an application of the money in Ireland would *satisfy* the bequest." And as to the "presumption" that the money would be expended in Ireland, arising from the fact that the President of All Hallows' College, a College situated in Ireland, was named as trustee, and that the bequest was left for the very purpose for which exclusively the College of which he is President was founded, the Chief Baron explained that no mere presumption would suffice: there should, he said, be an *obligation* imposed; and here there was none; for, plainly, there would be *no breach of trust* if Dr. Fortune, the President of All Hallows', sent the money to any College in England, or elsewhere, to be there expended for the education of missionary priests.

Hitherto we have taken into account only the *privileges* with which charitable bequests are invested. There is, however, another side to the question. In certain circumstances, bequests for "charitable" purposes are, on the contrary, subject to disability, and are, in fact, altogether void in law.

Thus, then, it is clearly a matter of no small practical interest to ascertain what precisely are the characteristics that constitute a legally "charitable" bequest, and in what form, consequently, a bequest should be drawn so as to

secure, as far as possible, in the framing of a will, the carrying out of a testator's wishes. Sometimes, as is obvious from the remarks already made, this is to be done by bringing the bequest within the legal definition of "charitable" bequests: sometimes, by securing its exclusion from this generally favoured class.

In some early subsequent numbers of the RECORD, then, we shall proceed to consider the following questions:

1. What constitutes a "charitable" bequest in the legal sense of the term?
2. What special favours are shown by the law of these countries to such bequests?
3. In what way may those favours be most effectually secured?
4. On the other hand, under what special disabilities are charitable bequests placed by our law? And,
5. In what way may the inconvenience arising from such restrictive provisions be most effectively removed, by the use of means legally recognised as sufficient for that purpose?

I do not wish to close this short Introductory Statement without acknowledging the kindness of an eminent member of the Irish Bar, whose friendly co-operation in revising, correcting, and, so far as may be necessary, supplementing, my expositions of the legal points involved, enables me to state that this series of Papers will come before the readers of the RECORD with the very highest professional guarantee both of their accuracy and of their completeness.

W. J. WALSH.

NOTES ON VACATION.—No. I.

THE cholera is a great disorganizer, not only of persons but of plans. Those whom it does not attack it frightens. Quiet people, who sit at home at ease, far removed from the scenes of its devastations, find it cropping up in the midst of their vacation forecastings, and insisting upon being considered as no small item in the great account which generally precedes the start from home. Our American cousins suffered severely in another way, inasmuch as they had no such forewarning of the terrible plague, and found themselves in England with the doors of the rest of Europe seemingly shut against them. It was

sad to hear their complainings, though one could not perhaps thoroughly realize the greatness of their calamity. To a British mind it seemed that the United Kingdom was a sufficiently large field for men of the United States to spend a vacation in. But, perhaps, people who come so far and at such a pace, have acquired a momentum which carries them, in spite of themselves, far ahead of England, and indeed over Europe and back home again before its impulse is overcome, and the travellers brought once more to rest. But for ourselves, we must confess that it stayed our outward march, and kept us, no unwilling captives, in our native land. Of course we had plans of foreign travel, which while we cogitated upon them, grew with that they fed on. But a chance encounter with "one who knew," put all our dreams to flight with an emphatic "don't."

Our friend had undergone quarantine, after waiting a week for his turn to enter into the place of purgation. There he was disinfected, fumigated, worried and half-starved for a second week at the cost of a guinea a day; and then, when all was over, he came home if not a wiser, certainly a sadder man, and said in answer to our inquiries, "Don't." So we didn't.

The fever which comes upon us when foreign travel is at hand, died out when our resolution to stay at home was made; and we lingered in London for a month in a state of mental coolness with which the high temperature of the thermometer marked did not accord. It was very hot, but we had nothing to do but to keep ourselves as cool as possible, to rest and be thankful.

Rest we did, and thankful we were. Rest in the quiet enjoyment of the intellectual treat which Wagner had bequeathed to us, and Hans Richter made possible. Music of the very highest class, interpreted by artists of corresponding powers and intelligence, surely this was rest, in its best and truest sense. Rest, when the mind is satisfied; when others work out noble ideas, and put them before us so completely, that we have but to receive them and to make them our own, almost without an intellectual effort. So indeed it seems, and yet it is not quite so; for when the performance is over and the mind returns upon itself, there is an excitement and a fatigue which tell of work achieved. There must be in such entertainments a mental effort to correspond in some measure to what others are working out before our eyes and in our ears. Yet of this we are scarcely conscious while the Magician holds us in his spell. Wagner is in his best in the opera to which we

allude. *Tristan und Isolde* is perhaps the work which most completely represents his latest and most advanced style, and was the one upon which he especially placed his reputation.

This opera was more fortunate than most of those which were played by the German company in London this season, in that its chief characters were in first-rate hands.

Herr Gudehus, the celebrated tenor from Dresden, of whom we have had to write before, was ably supported, and indeed we may say inspired by Fraulein Lehmann, whose *Isolde* realized in appearance, dramatic force and vocal power, all that Wagner imagined in and required of the representation of the Irish Princess, and how much this implies need not be told. This young actress and singer surprised and delighted the audience. A character so marked as that of *Isolde* requires in its realization not only the charm and freshness of youth, but the experience and power of fully developed intelligence. At one time melting with tenderest love, at another torn by hatred or disdain, it tries the capabilities of the performer severely to preserve throughout that unity of conception which in such varied phases makes the character one and the same. And when we remember how intensely Wagner tries the vocal powers of the heroine throughout, how remorselessly he works out his own grand ideas with little thought of the physical capabilities of those who have to realize them, we must indeed think highly of one so young who can not only master these difficulties, but make them cease to appear such, and so give us unmixed pleasure in witnessing so perfect, charming, and in truth so wondrous a delineation. It was a matter of regret that Fraulein Lehmann appeared only in this one opera, but it had at least this advantage that it connected her inseparably with *Isolde*, and *Isolde* with her. The singer and the character are in our minds one and undivided.

But we must not linger in Covent Garden Opera House, though in truth we often found ourselves there where German and Italian opera alternated in pleasing variety. The orchestra we believe was the same throughout, and if so the influence of the several conductors was indeed different. Hans Richter is a name to conjure with. Every body has heard of him, but to see him with his baton in hand—aye, and with his orchestra in hand, too—is a thing not to be forgotten. He is not so much the conductor of the instrumentalists as their life and soul. A slight movement of the hand, scarcely perceptible to a looker-on, is

felt by them and affects them as an impulse of the mind influences the human body. There are none of those flourishes of the baton with which some conductors attract the public eye, and unwittingly disturb the mind that wishes to know nothing of what is so mechanical as beating time. You feel that Richter is there; you feel that he knows better than anyone else what Wagner intended; you feel sure the required result will come, and never are you disappointed. This consciousness of the great part Richter plays in bringing about at all times the effect, so subtle and yet so sensible, shows itself in the unusual practice of calling him before the curtain at the end of almost every act; when the long pent-up enthusiasm of the audience finds vent after their attentive silence during the performance, and the great conductor shares with the chief singers the applause of the audience for the success in which he has had so large a share. With the Italian operas this is not the case. Whether it is that there is more of mechanism than of mind in them, and so the conductorship needs but to be of a corresponding character; or that the well-worn stock pieces have worked for themselves a sort of musical groove in which they can almost run alone; certain it is that the hand of the conductor is but little felt by the orchestra, and as little valued by the listener. With Wagner's operas the mind is engaged throughout, and therefore corresponding minds must carry through the intellectual entertainment; what is sought for by the audience must be supplied by singers, players and conductor alike. How little this need is felt in ordinary Italian operas every one knows; for there a favourite aria, or a popular duet, or at most a concerted piece is waited for, listened to, and applauded as usual, while the rest is a poor, unmeaning recitative, accompanied by a few cords on one or two instruments, affording plenty of time for that gossip in the boxes which is the unfailing attendant of such performances. May it not be that to this we are to attribute the decline of dramatic singers among the Italians, and the fact that all the chief artists in our Opera House are, with but one or two exceptions, not Italian. The past season had four really great singers, and not one of these came from Italy: America and Germany giving us Patti, Sembrich, Lucca and Albani. The rumour prevalent while we write, whatever of foundation it may have, is another testimony to this belief in the decline of Italian Opera, for under what other circumstances

could it be even imagined that Covent Garden Opera House is about to be converted permanently into a circus!

The great heat of the summer emptied the theatres, and sent the people to what they were pleased to call the *Healtheries*, where good music by English, French and German bands of first-rate renown, charmed the people who promenaded in the comparative coolness of the bright summer nights, and who seemed to care as little about the educational exhibitions and the wonderful contrivances by which life was to be made worth living, as they had done about the fisheries and their appliances the previous year.

One health discovery at least has been made, which seems likely to grow into a public institution, and so to flourish accordingly; and that is, that people can meet together in public gardens and enjoy a pleasant promenade to the sound of sweet music, and amid the splendours of grand fountains, which under the weird spell of the electric light become still more beautiful, and all this without disorder or inconvenience, without any rough element to mar the pleasure, and any conduct which can offend and drive away decent people. This, although common enough in Germany, is indeed a novelty in London; and if nothing else comes of these annual exhibitions in South Kensington—which, however, is not at all likely to be the case—Londoners and their visitors will have cause to rejoice in a healthy element introduced into social life, of which it had long stood in need.

Among the music of the season justice requires a word to be said, of a new feature, somewhat grotesque, but not without its interest, if not from a musical, at least from a cosmopolitan point of view.

China was early in the field, and played a leading part in the world's show at the *Healtheries*.

The Celestial Empire was not content with fitting up a vast museum for its productions, and building a street of shops where its goods might be inspected and bought from veritable Chinese, but it provided for the curious and adventurous real Chinese dinners, publishing and placarding its daily Menu, when bird's-nest soup and other strange luxuries were announced. Chinese tea, prepared in Chinese fashion, and drank with what looked very much like Chinese expression of countenance—that half-comic and half-puzzled look we all know so well—was to be had: and to crown all—and what excuses our mentioning it here at all—Chinese music was performed by real

Chinese players on queer Chinese instruments, on a real Chinese bridge—that very bridge, it seemed to be, with which long ago we were all made familiar on the world-renowned Willow-pattern plates—spanning what looks like the canal in that same well-remembered picture.

Yes, there was the familiar scene, which yet we had never seen in actual life before. It was like that first visit to Venice when all is seen for the first time, and yet all is so familiar because of pictures seen at home. There is the bridge with its twinkling lights of coloured lanterns; there are the solemn long-tailed race, with their queer, comic eyes, the gaudy wide-flowing dresses, the composed manner and grave aspect which somehow makes us smile, and in their hands are the strange musical instruments which as yet are silent, and all grouped around a central figure—shall we say a Chinese Richter?—whose baton is not to be content with motion, but is to make itself heard as well as seen upon a huge drum.

The vast crowd is all attention, grouped on both banks of the canal; all eyes are turned upon the bridge, and chiefly upon the conductor. He is magnificently dressed, and has a majestic look, and while he throws back his large, hanging sleeves and prepares for action, the only sound to be heard is the playing of the French band somewhat too near the Chinese Minstrels. Evidently there will be musically, what we now hear of so constantly politically, a rupture between France and China; and here, if not there, France is discomfited. But China is long in preparation and slow to begin, only when the blow comes it is startling and effective. Down goes the baton-drumstick upon the big drum, and the result is electric. France pauses, and then crows—or rather we should say plays—louder than ever. China pauses also, steps back, metaphorically speaking, but only to advance the more effectively. Another blow and the whole Chinese force rushes madly into the fray. We had before gazed in ignorant curiosity at the instruments, but little could we anticipate the various sounds they produce. One seems a tin box of peas which are rattled vehemently, another resembles in sound the bagpipes, with a drone of thunder and a scream of what?—let us say lightning. Small drums, perhaps tom-toms, echo in weaker notes the full diapason of their great father, while other instruments complete the hideous discord. What does it all mean?

Are they seriously playing, or are they poking their grim fun at the audience? Some people close their ears and decamp hastily, while others, of more inquiring disposition, listen attentively and try to see a reason in this apparent madness. Anyhow, France gives up and retires from the field, and China plays the louder, and the good-natured audience cheer vociferously. It is certainly a new sensation, and perhaps it is a pity that Dublin did not hear this music, which was at one time promised as a feature in its Health Exhibition.

The heat of this exceptional summer at last made London intolerable. Of course the natural resort was the sea-side, but why we chose the hottest part of it is not easily explained. Perhaps it was a kind of seasoning to which we resolved to submit ourselves. Nothing could be warmer in England than South Devon, and no part of that beautiful land could compare with Torquay in that respect. After acclimatizing ourselves there every other place must be comparatively cool; so to Torquay we went, touched our highest temperature, and hoped to cool down during the rest of the summer. A run by the Great Western to Exeter is an event not to be forgotten. It never stales; repetition does not destroy its excitement, or even rub off the polish of novelty. Sixty miles an hour is still wonderful travelling, and figuratively almost takes away the breath when contemplated, just as Dr. Dionysius Lardner once maintained it would certainly do physically if attempted. The rush was for the two hundred miles to Exeter; then we were allowed to breathe more freely during the rest of our journey, as was but right, seeing we had made the overland route from London, and were now skirting the Exe estuary and winding round the beautiful coast through sundry charming, and as it were, subject watering places, until we reached and found our home in Torquay, their queen.

Torquay, as everybody knows, is a famous winter resort, and no one should think of going there in summer, at least it is not considered "good form" to do so; but people who have other occupation for winter, must do as we did, and they will surely enjoy Torquay, even at its hottest. One advantage of this unseasonable visit is that the excellent hotels are nearly empty, and the rare visitors are thought much of, and are tended accordingly; where you are waited for and wanted you may surely reckon upon a welcome.

What variety and beauty is there in the walks ; what views around and across Torbay. What cliff-climbing and skirting amid the fragrant and abundant brushwood which clothes and half conceals the precipices which overhang the sea. What food for the eye is there in every varying bend of the curving coast ; what mingling of colours of green foliage and red marble cliff ; what entanglement of rock and tree ; what mysteries of light and shade which the half-idle, half-active mind delights in dreaming over, if not unravelling ! And if these tire, as sometimes mere waywardness suggests, close at hand is that wonderful Kent's Cavern, with its winding corridors, its stalactic roof and its rude floor, all alike so rich in relics of pre-historic man and of his wild surroundings. Here are fragments of his flint implements, his rude pottery, even of the charcoal he burned ; and around are the bones of the rhinoceros, the elephant, the lion, the wolf, the bear and the hyæna, with the arrow-heads and spear-heads with which he slew this ancient fauna of England. Coming out from these gloomy and suggestive caverns into the warm, bright summer light again, we soon find ourselves at St. Mary-Church, where the piety of a convert has recently built a noble Gothic church under Our Lady's invocation, and thus given fresh significance to the old name of the pretty village.

We are not writing a guide-book, but only penning some brief notes, and so content ourselves with recalling Brixham, at the extreme end of the Torbay, renowned for a constitution which, like everything in the place, is fishy. The Lords of Brixham are Brixham fishermen. The manor, it seems, was purchased by twelve fishermen some years ago, whose portions have been divided and subdivided, but still the title goes with even the smallest share, and each owner is a "quay lord." There are some two hundred sail of trawlers, with sixteen hundred fishermen to man them, but of course all these are not Lords.

It has its place in English history, as a monument on the sea-wall fails not to record ; for here William of Orange landed in 1688, coming, as he truly said in his broken English, "for all your goods," though the monument fails to record this royal speech. Quaint and with quite a character of its own is Brixham, scarcely to be described, but not soon to be forgotten. It fills one of those corners in memory where odds-and-ends store themselves, which, having no seeming connection with anything else, some-

how put themselves snugly away, almost without any effort or intention on our part, and so crop up unexpectedly when may be we are idly gazing in the fire, and reconstruct their features in the burning coals. But Brixham has a dangerous rival in this respect in Dartmouth, a place of greater pretension and wider renown. But of Dartmouth and its river, and our later wanderings in Cornwall, we hope to say something in another paper.

HENRY BEDFORD.

LEIXLIP CASTLE AND THE VALLEY OF THE LIFFEY.

FASHION is a fickle and a powerful ruler. In the matter of dress it is supreme, but to limit its influence to that would, as we know by experience, be very unjust to fashion. It takes in a far wider range, and we would not, we believe, be far wrong in saying that there is a fashion in almost everything. A hundred years ago it was the fashion to build dwellings in low situations, in order to secure shelter; and specimens of this fashion are not unfrequent in parts of the country, even now; later it was regarded as the right thing to build on elevations for sake of the view, and to secure air that was pure and bracing. Again: a couple of generations back, the denizens of our cities, especially those of Dublin, usually journeyed inland for health, recreation, and scenery; the sea-side being then regarded as a health resort for invalids, and, like physic, to be taken by medical advice. For ordinary mortals in ordinary health a month at the "salt water" was considered to be abundantly sufficient, for one whole year at least. Few, except those compelled by circumstances, chose the sea-side for a permanent residence; to do so was deemed neither prudent nor agreeable. There are, perhaps, some amongst us who can recall a time when the Black Rock, a village only four miles south of Dublin, was the *Ultima Thule* of an ordinary Dublin citizen's Sabbath drive by the sea, and hence the road from Dublin in that direction was, by eminence, known as "The Rock Road," as if beyond it there was no place to go to, or at least no place worth going to. To that final stage or terminus

numerous cars and jingles plied every day, but in greatly increased numbers on Sundays. What a row and a rattle they made, to be sure! and vast were the clouds of dust they raised on a sunny Summer day, as the jarvies urged forward their jaded, overworked, and frequently ill cared for horses. There were fixed fares to Black Rock, but no further. A party that made up their mind to dine at the pretty kitchen in Old Dunleary, or to wander over the wilds of Dalkey Common, would have to make arrangements some days beforehand for the journey.

In those days Lucan, Leixlip, and the whole valley of the Liffey to the Salmon Leap, were the more fashionable, and by far the more enjoyable excursions; and for sweet and varied woodland scenery, lighted up by a beautiful sparkling river, the valley of the Liffey stands unmatched in the neighbourhood of the capital, and the present writer has no hesitation in asserting that the junction of the Ryewater with the Liffey under Leixlip Castle, is far more beautiful than that other Meeting of the Waters which Moore has wedded to immortal verse.

All is changed now. To-day the sea-board south of Dublin, once so bleak and neglected, is lined with charming villas, which, viewed from the bay, seem a string of bright pearls fringing the "laughing waters," whilst there is besides, a back ground of detached residences, set like so many gems in the beauteous landscape.

The sea has triumphed and not without much reason; still it would not be just to treat inland scenery with unmerited neglect; permit me, then, gentle reader, to plead for a few moments, the cause of dear old Anna Liffey and its surroundings. With this object in view let us make a short excursion up the river, and let us "hear, see, and say nothing," till we get clear of the city smoke at Lucan. Irishmen love their country very dearly, which is fully proved by the fact that they have fought and bled for it longer than any other people have done for theirs; and the study of its history—which is *their* history, will enlarge their hearts and intensify their affections for it. We are now at Lucan. There was an Earl of Lucan of James the Second's creation, and his name was Patrick Sarsfield. Does that name sound strange in Irish ears? No, certainly. Is there a man living to-day on this soil of Ireland worthy the name of Irishman, whose heart does not throb quicker, and whose blood does not rush in a warmer current through his veins at the name of

Patrick Sarsfield? It was here he drew his first breath—it was here he began that glorious life which he laid down on the field of Landen, on the 19th of July, 1693. Only think of his chivalrous love of country! Feeling that he had received a mortal wound, he moved his hand towards his heart with the object of discovering where the wound was. He drew it back covered with blood; looking at it for a moment or two, the great soldier exclaimed, “Oh, that this was for Ireland!”

At the fine and graceful one-arch bridge of Lucan, we can enter the grounds of St. Catharine's, which extend along the left or northern bank of the river from Lucan to Leixlip. The place is called St. Catharine's, because here in the year of grace 1219, there was founded by Warresius de Peche a religious house for the Canons Regular of St. Victor, which pious act he performed “for the health of his soul and those of his ancestors and successors.”¹ In the grounds there is still to be seen the well—the Holy Well—which was an important accessory of every religious house. This well, I suppose we may call it St. Catharine's Well, is surrounded by a protecting wall, enclosed by a door, and is admirably kept in every respect. Lately there has been discovered near it a female head sculptured in marble, which, although much defaced, is evidently the work of a skilled artist. It is supposed to have belonged to a statue of St. Catharine, which once stood at the well. Opposite St. Catharine's, on the right or southern bank of the Liffey, skirting that beautiful reach of the river from Lucan to Leixlip, and ornamented with some of the finest forest trees in Ireland, is the demesne of Lucan House, once the property and the home of the Sarsfields.²

Emerging from St. Catharine's we find ourselves at the bridge of Leixlip, taking our stand on the centre of which, and looking westwards, we are face to face with Leixlip Castle, which famous stronghold towers in feudal dignity above the junction of the Ryewater and the Liffey. In A.D. 1169, Adam de Hereford landed in Ireland with Fitzstephen, and soon after, Strongbow, commonly known in old chronicles as Earl Richard, made him a grant of the manor of Leixlip, together with Cloncurry, Kille, Houterard, and Donning.³ In the year 1219, he or his son, called in

¹ Rob in Turr. Lond. See “Leixlip Castle,” by a Kildare Archæologist, p. 6.

² Within the demesne and near the village is the Lucan Sulphur Spa.

³ Harris's “Hibernica,” p. 42.

the grant Sir Adam de Hereford, Lord of Leixlip, "enfeoffed the prior of St. Catharine's with a carucate of land in the lordship of Leixlip for the maintaining of six chaplains to pray for the souls of all his progenitors."¹

Leixlip Castle is still occupied as a residence, and a charming residence it is, a large portion of it having been adapted to modern ideas of comfort by various occupants, but enough still remains of its battlements and towers and walls of six feet in thickness to tell the story of its ancient strength and military importance. And like all old castles of the true type, it can boast of

" Windows that exclude the light
And passages that lead to nothing."

From time to time it has had under its roof very distinguished visitors. There is a tradition that King John resided here for a portion of the time he was in Ireland, and the tradition gains strength from the fact that one of the chief rooms in the castle is still known as "the King's room." But a greater than King John was there—no less a man than the hero of Bannockburn himself. Edward Bruce landed in Ulster in the year 1315, "with a power of Scottes and Red-Shankes,"² where he achieved considerable successes, and having fought his way southwards to Dundalk, he there had himself crowned King of Ireland. Numbers of the Irish joined him. They had suffered so much from their Norman invaders, whose whole object seems to have been plunder, that they were only too glad to follow Bruce, in order to have an opportunity of fighting against them: it is even on record that many English placed themselves under Bruce's standard. Although Edward Bruce was almost always victorious, still no important object had been gained by him; he took no firm hold of any part of the country, it was all fighting and burning. His brother Robert came to his assistance in 1317, the laurels of Bannockburn still fresh upon his brow, for he had fought and won that famous battle only three years before. The two brothers marched upon Dublin and encamped at Castleknock; but the citizens burned the suburbs on their approach, and

¹ A carucate of land was a plough land, *i.e.*, as much land as could be ploughed by one plough in a year. The exact quantity of land in a carucate has not been defined, but is variously estimated at from 60 to 120 acres. A carucate is sometimes called "a hide of land."

² Spencer's View of the State of Ireland, p. 26. Dublin, Reprint, 1809.

showed such a determination to defend the city to the last, that the Scottish leaders deemed it prudent not to risk the delay or failure of a siege. They broke up their camp and directed their course to Naas, stopping on their way four days at Leixlip.¹ On this visit of Robert Bruce to Leixlip, Moore observes: "Nor is it a slight addition to the interest of that romantic spot, to be able to fancy that the heroic Bruce, surrounded by his companions in arms, had once stood beside its beautiful waterfall, and wandered, perhaps, through its green glen."²

Gerald, the 8th Earl of Kildare, on the occasion of his marriage to his second wife, Dame Elizabeth Saint John, in 1496, received from King Henry the Seventh, for himself his wife and their lawful heirs, the manor and lordship of Leixlip, with the appurtenances.³ He was called "the Great Earl," and not without some show of reason, for, with faults not a few, there were great lines of character in him. "He was," says Campion, "a mighty made man, full of honor and courage." The Ormonde of that day was, of course, his great adversary. How much there is in blood! Of this Ormonde, Campion says, "He was *secret* and *drifty*, of much moderation in speech." The whole character of his descendant, James, Duke of Ormonde, is in that short sentence. Campion's character of the Earl of Kildare is the very opposite. "Kildare," he says, "was open and passionable, in his moode desperate, both of word and deede, of the English well-beloved, a good justicier, a warrior incomparable, towards the nobles that he favoured not somewhat headlong and unrulie." Being charged before Henry the Seventh for burning the Church of Cashel, he suddenly confessed the fact, and dashing out a wicked oath, "quoth he, I would never have done it, had it not beene told me that the Archbishop was within. And because the Archbishop was one of his busiest accusers there present, merrily laught the king at the plaineness of the man, to see him alledge that intent for excuse, which most of all did aggravate his fault. The last article against him they conceived in these tearmes, "finally, all Ireland cannot rule this Earle." "No (quoth the king) then in good faith shall this Earle rule all Ireland." And so the man who was cited to England, to face his accusers,

¹ "Annals of Ireland," p. 174.

² "History of Ireland," vol. iii., p. 63.

³ Patent and close Rolls, temp. Hen. VIII.

standing before the king with his life in his hand, returned to Ireland Lord Lieutenant, and was soon after made a Knight of the Garter.

The 8th Earl of Kildare was, as stated above, twice married. By his first wife, Alison, daughter of Sir Rowland Eustace, of Harristown, in the county of Kildare, he had issue one son (a Gerald of course) and six daughters; this Gerald became in due course 9th Earl of Kildare. The Lady Alison died of grief on the 22nd of November, 1495, during her husband's confinement in England. By his second wife, the 8th Earl had seven sons and no daughter. Dame Elizabeth outlived her husband, and on her death Leixlip descended to her sons in succession. The eldest and second eldest having died young, this property was in possession of Sir James, her third son, at the time of the rebellion of his nephew, Silken Thomas, who was son to the ninth earl, then in England, having been summoned thither by the king to answer sundry accusations which were made against him. By an Act of Resumption, 28th of Henry VIII., A.D. 1536, the manor and lordship of Leixlip was taken from the Fitzgeralds, and vested in the king, "for that," says the Act, "the blood of the Geraldines is corrupted towards the crown of England." This, of course, refers to the rebellion of Silken Thomas. At the critical time of Silken Thomas's rebellion, Lord Leonard Gray, son of the Marquis of Dorset, was sent over as Commander of the Army and Marshal of Ireland. Silken Thomas lost his allies one by one, and the suppression of the rebellion was effected without difficulty. Thus deserted, he gave himself up to Lord Leonard Gray, confessed his offence, threw blame on his advisers, and prayed that his life might be spared. The Irish annalists assert that he received a promise of his life from Gray; but the king was furious that any terms were made with him, had him seized on his way to Windsor, and committed to the Tower. Henry further ordered Lord Gray to arrest the five uncles of Silken Thomas, three of whom had, from the first, discountenanced the proceedings of their nephew. This did not save them; they were attainted by the Irish Parliament, and conveyed to London, where the five uncles, together with their nephew, were executed at Tyburn, on the 3rd of February, 1537, by which act of savage slaughter the house of Geraldine was all but extinguished.

What a passing shadow is man! *There* yet stands the castle in which the "Dame Elizabeth," with the conscious

joy of a mother's heart, saw her boys grow up around her full of health and promise; *there* are the grounds over which they so often careered and gamboled; *there* is the old historic Salmon Leap, the *Saltus Salmonis* of Giraldus, at which they must have, "full many a time and oft," stood, with eager gaze, watching the fish in their efforts to ascend the cataract; *there* are still the Rye and the Liffey mingling their placid waters as of old: but the sons of the Lady Elizabeth, where are they?—long, long ago returned to the bosom of another mother, the victims of a ruthless tyrant, far more deserving of being executed at Tyburn than they were; their names and their sorrows hidden away in the archives of far-off history.¹

Passing over some other interesting events in the life of Leixlip Castle, we come to the encamping of the Confederate army along the Liffey, between that place and Lucan, in November, 1646, which army consisted of about 16,000 foot and 1,600 horse. It was under the command of Preston, who was general of the Leinster forces, and of the famous Owen Roe O'Neill, who commanded the Ulster men. There was no commander-in-chief—a fatal error; but one which could not be remedied on account of the jealousies existing between the generals, Ormonde was in Dublin; Digby, the king's secretary and trusted minister, was with Preston in Leixlip Castle, where that commander had fixed his head-quarters; and Clanrickarde was constantly passing and re-passing between the two places, carrying on a correspondence of which O'Neill and the Nuncio (who was in O'Neill's camp) were kept in almost complete ignorance. Some proposals were being made to the Confederate Catholics, whilst Digby was endeavouring to detach Preston from them altogether. To create division and promote delay were the two great objects Ormonde had in view, who was, at the very time, in treaty with commissioners from the English Parliament, with the view of giving up Dublin to them, which he very soon after carried into effect.² A black treason it was for him to give up the capital of Ireland to the enemies of the king, his master, who were in open

¹ The seven sons of the eighth Earl of Kildare and the Lady Elizabeth Saint John were:—Henry, who died in 1516; Thomas, who died in 1530; and Sir James, Oliver, Richard, Sir John, and Walter, the five who suffered at Tyburn.

² The terms of surrender were ratified between Ormonde and the commissioners on the 23rd of the same month of November.

rebellion against him, and who beheaded him not long after. But he did it rather than grant adequate concessions to the Catholics, who were always loyal to the king, but, on account of their religion, hateful to Ormonde, who had been a Catholic himself for the first fifteen years of his life, and was then the only Protestant of his family. O'Neill, feeling he was surrounded by enemies instead of friends, and having reason to believe there was some deep plot preparing against him, broke up his camp, threw a temporary bridge of such timber as he could find across the Liffey at Leixlip, and retired into Meath.

And thus ended the once formidable design on Dublin, which was almost certain to succeed only for the incurable dissensions of the Confederate generals.

It remains for me to say a word about the Salmon Leap itself, which is the most attractive object in the neighbourhood I have been writing about. The name Leixlip is made up of two Scandinavian words *Lax* and *hlaup* (sometimes written *löp*), and is literally rendered into English by the words Salmon Leap. It is again literally rendered into Latin by *Saltus Salmonis*, which words were usually abbreviated in documents by *Salt. Salm.*, the first syllable of each, and sometimes by *Salt* only; and thus the Salmon Leap gives their name to the baronies of North and South *Salt*. Itself is in the barony of North *Salt*. Again, it was the inland boundary of the Scandinavian kingdom of Dublin, which was a kind of Danish Pale, like the English Pale of later times, and extended coastwise from Arklow to the little river Delvin, above Skerries, on the north, and along the Liffey, "as far as the salmon swims up the stream," that is, to the Salmon Leap at Leixlip. This territory, or Pale, was called the *Dyflinarskiri*, to study the correct pronunciation of which word, I here beg to give the reader some breathing time.¹

JOHN CANON O'ROURKE.

¹ See Haliday's "Scandinavian Kingdom of Dublin," edited by J. P. Prendergast, Barrister-at-Law.

TEMPERANCE IN THE "SUMMA."

IN these days when so much that is intemperate is spoken and written on what is called the Temperance Question, it may be well for us to know how this matter has been treated by the wisest and weightiest of Catholic theologians, St. Thomas Aquinas. As all theological students know, there is scarcely an important theological disputation in which the words of the Angelic Doctor are not quoted in support of each side. I daresay this will be the case in the matter before us. Teetotallers and anti-teetotallers may find equal satisfaction in these pages. I have written them, not in favour of the Total Abstinence cause which I have so much at heart, but with an honest desire to put in handy shape, and in, as far as may be, popular form, the opinion of one who, besides being a Saint of God and the Angel of the Schools, is commended to us with such unusual warmth by our present Holy Father, Leo XIII., as pre-eminently our teacher and guide amid the perils, intellectual and moral, of this age.

It is not wonderful that, in the "Summa," out of six hundred "questions" divided into some three thousand "articles," temperance should find a place, together with its specific form, sobriety, and its contrary vice, drunkenness. St. Thomas was not only a profound thinker, but also a most eloquent and popular preacher. What he wrote, in stiff, scholastic phrase, in the "Summa," he must often have clad in all the beauty of rhetorical form and figure in the pulpit, and oftener still in the simplicity and earnest directness with which a saint would preach God's truth to the poor. To the "Summa" then, the preacher may confidently turn for matter for his sermons both to great and lowly; and if these pages in any way encourage a brother priest to go to that pure fountain when he would feed his flock, and to substitute those clear, crystal waters for the muddy streams below—if these pages do that they will have done much. In a warm heart the *semina rerum* of the "Summa" will soon spring up, and bear, as they did with St. Thomas, both flower and fruit.

I.—Well, to come to the matter of temperance. It is treated in the 141st question of the *secunda secundæ* of the "Summa." The "question" is divided into eight "Articles." 1° In the first, after three objections against its being a virtue at all, since it puts a restraint upon the natural

desires of a man, St. Thomas shows that it is a virtue, since in a reasonable man it establishes such moderation as is reasonable. It puts such restraint, that is, upon the animal part of a man, as his right reason sees fitting; it does not restrain him from reasonable enjoyment, but only from such brutal enjoyment as is unworthy of his position as a rational being. 2° In the second "Article" the Angelic Doctor shows, in answer to those who say that temperance is not a special virtue but only a quality to be found in every virtue, that temperance is also a special and distinct virtue, as much so as fortitude, for instance. For, while fortitude is the virtue giving a man courage to do the good that he dislikes doing, temperance holds a man back from doing the evil he would like to do. And temperance is, as it were, the *beauty* of all virtue; since beauty consists in a thing being well-proportioned, and temperance keeps everything in its due proportion and right measure. So temperance is itself a beautiful virtue, and makes all the other virtues beautiful as well. 3° In the third Article St. Thomas shows that temperance as a virtue restrains the pleasure taken in things of the senses, reducing that pleasure to obedience to reason, and helping the rational man to quell the unruly desires of the animal man. 4° In the fourth Article he shows that it is in the sense of touch that the animal man principally seeks satisfaction; that this sense is very strong in the taste for food and drink, since these are instincts of the natural man, necessary for his preservation, and so strong (and since man's fall so unruly) that they require constant restraint, lest they pass the bounds of reason. 5° In the fifth Article St. Thomas shows that it is the pleasure of taste that temperance has principally to deal with—a pleasure that belongs to eating and drinking, both of which may, by excess, injure that nature they were ordained to nourish. 6° Again, in the next Article, we are shown that it is for our right conduct in this present life that temperance is first required; that even were there no heaven or hell we should still be temperate, if we would live as reasonable and healthy men—men capable of minding their own concerns, and of fulfilling their duties towards the community in which they live. 7° Seventhly, temperance is a cardinal virtue, since in it, that moderation which is required in the practice of every virtue, is principally found. On the restraint of those pleasures most natural to us, and therefore most powerful, hinges the whole spiritual life; and,

as a cardinal virtue means a *hinge* virtue, or one on which other virtues hang or depend for support, so temperance, on which all virtues depend for their moderation and beauty, is rightly called a cardinal virtue. 8° In the eighth, and last Article of this 141st question, St. Thomas shows that the reason why temperance is such a splendid and excellent moral virtue, is because it keeps a man from sins so brutal and debasing, and because its practice is so difficult, and therefore so pleasing to God.

So ends this question. In the following question, of four Articles, are treated the vices opposed to temperance.

II.—Sobriety is the subject of the 149th question of the *secunda secunda*. St. Thomas discusses the question in four articles. 1° In the first he applies the word "sobriety" to moderation in drink—our ordinary use of the word, and he quotes to this purpose the text from Ecclesiasticus: "Wine taken with sobriety is equal life to men; if thou drink it moderately, thou shalt be sober." He says the word "sobrius" or "sober" is derived from a word "bria," which means a wine-measure. Ebriety is, then, the same as *not* in a wine-measure—that is, an unmeasured use of wine; and "sober" is the same as *not* "ebrius," or drunk, that is, *not* drinking without measure or restraint. The word sobriety means, then, according to St. Thomas,¹ drinking wine or intoxicating liquors *in due measure*, and he shows that this strict meaning of the word is the proper meaning, because it is intoxicating drink that most easily clouds the intellect and impairs the reason and even the bodily movements; and, therefore, it is to the use of such drink that a *measure* should be most strictly applied—the measure of sobriety. 2° In the second Article the Angelic Doctor shows that sobriety is a special and distinct virtue, being opposed to the special sin of drunkenness. Where there is a special sin, there must be, over against it, a special virtue. In the excessive use of intoxicants, over and above that of other drink, or of food, there is the special sin of depriving oneself of the use of reason; to remove such a sin a special virtue is necessary—and that virtue is sobriety. 3° In Article three St. Thomas handles what is now known as the teetotal, or total abstinence question. As usual, the article opens with objections—quotations and arguments seeking to prove that the use of all intoxicating drink is forbidden. But St. Thomas places, against these, the

¹ I do not find that modern philologists bear out St. Thomas in this. But bad philology may be good theology.

advice given by St. Paul to St. Timothy, to drink a little wine for his stomach's sake ; and the saying of Ecclesiasticus that "wine drunk with moderation is the joy of the soul and the heart." Then the Saint, as he always does, gives the pith of the true doctrine in a few words, which in this case are of such weight that I will give them literally :—

"Although the use of wine is not, of itself, unlawful, nevertheless it may, under certain circumstances, become unlawful (*per accidens illicitum reddi potest*) either from its being hurtful to the drinker, or from excess in quantity, or because it is taken in spite of a vow to the contrary, or because it is a cause of scandal."

These reasons why intoxicating drinks may be unlawful for individuals, and by accident, as theologians say, St. Thomas repeats: 1st—Some are easily injured by wine, and cannot stand its use at all. 2nd—Some have a vow—and we may in these later times add that many have what is of less obligation than a vow, still of some binding power, namely, a pledge—against intoxicating drink, and so are more or less, as it is by vow or pledge, forbidden its use. 3rd—Some cannot drink intoxicants without drinking to excess, and so are bound not to drink such at all ; and 4th, it may happen that even moderate drinking may be to others a cause of scandal, and in this way unlawful. A little further on, the holy Doctor adds another reason, in these words :—"Christ withdraws us from some things as altogether unlawful, but from others as being impediments to perfection ; and in this way He withdraws some persons from wine on account of the desire of perfection, as He does from riches and other such things." 4^o. In the fourth and last Article the Saint discusses the necessity of sobriety for persons of position—such as bishops, priests, high officers of the State, and such men of weight and influence as are likely to set an example to others. In proof of such a necessity he quotes the words of St. Paul to Timothy, regarding the duty of old men and of bishops, and the words of the wise man, "Give not wine to kings." To these proofs the holy Doctor adds the passages exhorting women and youths to sobriety, and shows that while exalted persons in Church and State are specially bound to sobriety because of the clearness of head their duties demand, and the force their example has with the multitude, women and youths are also specially bound to be sober, because of the weakness of the former in resisting temptation, and because of the latter being

specially prone to sin, on account of the fire and lustiness of their years. The Saint adds the striking fact recorded by Valerius Maximus, that among the ancient Romans women never drank wine. Thus ends the 149th question, regarding sobriety.

III.—In the 150th question, divided into four articles, St. Thomas treats of the sin of drunkenness. 1^o In the first article, he gives, as he always does, the objections. The first in this case is a curious one, worth recording, if only because of the Saint's answer to it. It is objected that drunkenness is not a sin, because every sin has some other sin directly opposed to it—as cowardice to rashness, faint-heartedness to presumption. But no sin can be found as the opposite, in this way, to drunkenness. Towards the close of the article the holy Doctor answers that, perhaps such wilful (obstinate?) abstinence from wine as a man knows will seriously injure his health, is not free from fault. A second objection answered by St. Thomas in this article is, that no one (or scarcely anyone) wishes to be drunk, that is, to be deprived of the use of reason; therefore, drunkenness is not wilful, and therefore it cannot be a sin. But St. Thomas most clearly shows how far this objection can stand. Drinking to excess is the sin; and he who wilfully drinks to such excess that he knows that loss of reason must follow, is guilty of the sin of drunkenness. For the pleasure of the drink he is prepared to undergo the shameful consequences—and in this way he is responsible for both the sin and its consequences. This loss of reason is, as the holy Doctor points out, the *punishment* that follows on the sinful excess, but is not the sin itself.¹

The question of "treating," as it is called, St. Thomas disposes of in answering the objection, that if drunkenness is a sin, they sin who invite others to drink to excess—*quod videtur esse valde durum!* The Saint replies that as a man is not guilty of sin who, through ignorance of the strength of the liquor, becomes intoxicated, so he who treats another to drink, not knowing that he is likely to get drunk, is excused by his ignorance from sin. But if he is not in such ignorance, that is, if he knows that the

¹ May we not infer from the shame and degradation of that punishment, from the scourge it is to the body and mind of individuals and to the peace and prosperity of communities, what the guilt is, in the eyes of God, of a sin which He visits with such awful rigour, even in this life?

friend whom he "treats" will probably sin by excess, he shares in his friend's sin. May we not, with theological exactness, add that the sin of the "treater" is generally greater than that of the "treated," since the latter is generally, owing to the pressure brought to bear with such cruel kindness on him, scarcely a free agent, drinking very often, not because he likes it, but because he fears to give offence? In such a case the cardinal virtue of Fortitude would save its fellow-cardinal, Temperance.

At the end of this article St. Thomas quotes the words of St. Augustine. Even if they did not come to us with the authority of two Saints and Doctors of the Church, they would be worthy of being written on the first page of every temperance journal, and in the hearts of every temperance apostle. Translation would destroy their perfect finish:—

"Non aspere, quantum existimo, non dure, non imperiose ista tolluntur; sed magis docendo quam jubendo, magis monendo quam minando; sic enim agendum est cum multitudine peccantium; severitas autem exercenda est in peccata paucorum."

For the Cardinal, Prudence, as well as the Cardinal, Fortitude, must stand by its brother, Temperance.

2° In the next Article, the second of this question, St. Thomas proves the gravity of the sin of drunkenness against those who would make little of it excepting when habitual. He cites the Apostolic Canon, which says:—*Episcopus, aut presbyter, aut diaconus, aleæ aut ebrietati deserviens, aut desinat, aut deponatur.*" But such punishment could follow only mortal sins.¹ Of course the Saint shows that the state of intoxication is a sinful state only when it has been foreseen, the simple indulgence to excess in drink, without knowledge or advertence to the intoxication likely to follow, being of itself only a venial sin, as want of moderation in eating, or in drinking non-intoxicating beverages would be. The man sins mortally who "*volens et sciens privat se usu rationis.*" The Saint adds this reason for the sinfulness of such a wilful deprivation of reason—namely, that it is by the use of reason that man acts virtuously and restrains himself from sin; and so the drunkard sins mortally by placing himself in the danger of sin. The words of St. Ambrose are here quoted:—"We say that drunkenness should be shunned, for on account of it we are unable to guard against sins. For those things

¹ Gambling is put here in bad company!

which we are on our guard against when sober, we commit, through ignorance, when drunk."

The article closes with St. Thomas's reply to those who seem to call for a hard-and-fast line defining the quantity of drink that may be taken without sin. Temperance, he says, moderates the use of food and drink according to their effect on the health. An amount of drink that would be wholesome, perhaps, for an invalid, would be excessive for a healthy man, and *vice versa*. An excessive dose of warm water might be taken medicinally as an emetic, and without sin, though it has in this case one of the effects of the excessive use of stronger drinks, which taken, even medicinally, in order to produce intoxication, are not allowed.

3°. In the next discussion, as to the relative gravity of the sin of drunkenness, St. Thomas, avoiding the exaggeration that has so often weakened modern temperance advocacy, states his opinion that drunkenness is not, of its own nature, the gravest of sins, since a direct outrage against God is graver than what is, directly, an outrage only against human nature. In the course of this short article the words of St. Ambrose are quoted:—"Non esset in homine servitus si non fuisset ebrietas." "There would be no slavery among men if there had been no drunkenness." What a host of thoughts, not all, perhaps, either logical or theological, fills the mind on reading those memorable words, "*Non esset servitus si non fuisset ebrietas!*"

4° In the fourth and last article the Angelic Doctor shows that while intoxication, in proportion as it is involuntary, excuses from sin arising from it, when it is voluntary increases the gravity of such sin as may be, or ought to be, foreseen as its likely consequence. The last words of the holy Doctor are words of mercy: *Levius est ex infirmitate quam ex malitia peccare*. May we not trust, without relaxing a single effort to check this sin of drunkenness, that it is, at least with our poor people, oftener a sin of weakness than a sin of malice?

ARTHUR RYAN.

THE DEAF AND DUMB.

ACKNOWLEDGING in the RECORD of last month a communication with which we were favoured respecting the uninstructed or uneducated Deaf and Dumb, we referred our esteemed Correspondent to a Dissertation which appeared some few years ago under the title of "*Claims of the uninstructed Deaf-mute to be admitted to the Sacraments,*"¹ and which we promised to notice in our issue of this month. We now proceed to redeem our promise.

First of all we must say that, having carefully perused the Pamphlet, we could not fail to have observed the profound study it displays from end to end, as well as the Author's most earnest concern for the objects of his charitable sympathy. He prefaces his subject by claiming for them what no one can refuse, the largest extent of indulgence which the mildest principles of Theology can allow; and then laying down the principle, that the Sacraments produce their effects of themselves by reason of the intrinsic efficacy imparted to them by their Divine institution, requiring only on the part of the recipient that he put no obstacle in the way, he proceeds to observe, that the great embarrassment presented by an uninstructed Deaf-mute in approaching the Sacraments arises from the difficulty of ascertaining what may be his knowledge of the principal mysteries, and how he may be otherwise disposed. He accordingly opens out the inquiry which this difficulty demands, and beginning with the Sacrament of Penance, he asks the following questions on the part of the Confessor:—

First. How far can a Confessor presume upon an uninstructed Deaf-mute's possession of sufficient religious knowledge for the Sacrament of Penance?

Secondly. How far may the Confessor presume on his having contrition for his sins?

Thirdly. How far the poor Deaf-mute penitent, not being able to write, can yet make to a Priest who does not understand his signs, a confession sufficient for absolution?

Fourthly. How can the Confessor assign him a penance?

The Dissertation takes up these questions in order, and beginning with the first it lays down the proposition, that

¹ Browne & Nolan, Nassau-street, Dublin.

"a Deaf-mute brought up in a Christian family practising their religious duties, is to be presumed, after having come to the years of discretion, to possess an amount of religious knowledge absolutely sufficient for the Sacrament of Penance."

This proposition the Author argues out at considerable length, his reasoning bringing to the surface the result of patient and deep reflection, as well as the closest observation; and it is more than interesting to see how he makes it appear, that the technical proofs which cost us so much difficulty to construct in the study of metaphysics to prove the existence of God, are found imbedded, at least substantially, in the human mind from the earliest development of our reasoning faculties. As a specimen of the reasoning he pursues, the following will, we think, prove both interesting and instructive:—

"With this supernatural work going on within us concurred a natural agency, which we all feel in the midst of our interior, and the working of which goes farther back than we can recollect. It is that ever-busy, that never-to-be-satisfied curiosity which at every moment, upon every occasion, and in reference to everything, asks with devouring avidity the two questions. 'WHY' and 'WHENCE'—questions which are at the bottom of all science and all discoveries in the religious order, as well as in the order of nature.

" 'WHY?' We are always asking ourselves this question, from the very dawn of reason, and at every stage of life, and in every degree of intellectual development, and, in our endeavours to answer it, we are solving problems as they come before our minds, and tracing out first principles. Directing our 'WHY' to the subject of religion, we exercised it in reference to the habits and practices of our parents and those around us. We saw them blessing themselves—we saw them going on their knees—we saw their lips moving in prayer—we observed their supernatural expression of countenance; and all this asked with insatiable importunity the question 'WHY?' We saw them at other times put on a reverential countenance, use a solemn tone of voice, raise up their eyes, and perhaps their hands to Heaven, with various expressions, which we well observed had come from their hearts, and in noticing these things we felt our earnest inquirer within us asking 'WHY?' We saw them going to Mass on Sundays and other days, and frequenting the Sacraments; we looked about, and everything we saw put to us the ever-recurring question, 'WHY.'

"We might extend the examples beyond limit, but enough to show how the ever-active sense of curiosity has been working within our interior from our very childhood, and acquiring a knowledge of religion by seeking out answers to its ceaseless inquiries as to the

‘WHY?’ or the reason of all these religious acts that came under our constant observation, leading us step by step to know God, as the first Beginning and last End of all things.

“And are we to put the poor Deaf and Dumb aside, and say that he has no share in this curiosity, that he does not feel the question ‘WHY?’ knocking at the door of the rational soul which he has from his Creator? We are rather to come to the contrary conclusion, that centred so much more than others in himself, his curiosity is more busy and exacting, and his eyes doing the functions to a certain extent of the ears, he pursues his ‘WHY’ with greater earnestness, and therefore with greater success, as to everything that comes under his observation. He consequently, instead of being in a state of inferiority, has actually an advantage in his privations for the acquisition of the knowledge of God, and things appertaining to God, so far as such knowledge is derived from the source we are contemplating.

“‘WHENCE?’ This is the second question our curiosity perpetually asks. Looking at things beginning, progressing, and coming to an end, seeing things in motion and undergoing constant change, we feel an inextinguishable curiosity to get at the beginning, the origin and source, and we therefore unceasingly ask the question ‘WHENCE?’ We see generation succeeding generation in the animal and vegetable world—we see the water running in its course—we say there must have been some beginning, some source, some origin of all this, and we perpetually ask ‘WHENCE?’ This curiosity belongs to every age, and every stage of mental development, and it commences with the earliest dawn of reason.

“I read some time ago of rather an amusing instance of the exercise of this curiosity. A would-be unbeliever was spending an evening with a friend somewhere in France. There was an interesting child in the family who attracted the visitor’s notice. He accordingly lavished his kindnesses upon her, and it so happened that an egg being within view, it was made the subject of their chit-chat conversation.

“‘Do you know,’ asked the gentleman, ‘how an egg is produced?’

“‘O yes,’ replied the little respondent, ‘it comes from a hen, does it not?’

“‘Yes,’ said he; and then proposing to have some amusement by puzzling her, he asked, ‘and the hen herself, what does she come from?’

“The child replied at once, ‘From an egg.’

“At this stage the conversation attracted the attention of the company, and the mamma, a good Christian mother, felt not a little uncomfortable to see her little one in such hands. He, however, seeing that he had all ears engaged, repeated his puzzle.

“ ‘Is it not very queer—an egg from a hen and a hen from an egg?’

“For the moment she was upset, and all was suspense, but the curiosity of ‘WHENCE’ must be satisfied, and after a little, with an animated *naïveté* exhibiting alike her innocence and intelligence, the child recovering herself said—

“ ‘But, Sir, one of them must have been first; which? tell me.’

“The unbelieving friend felt embarrassed in turn, but to keep up appearances he affected to laugh, as if enjoying the amusement of having puzzled the child. She, however, pressed the question, and all was attention as she asked again and again, ‘Which was first, the egg or the hen?’

“He must answer, and says at length, ‘The egg, my dear, the egg, of course, was first.’

“Whereupon, seizing his answer, she immediately followed it up by asking—

“ ‘And then, the egg itself—how did it come there?’

“His unbelief would not, of course, give a divine origin to the egg, and trying to evade the difficulty and baffle the little inquirer, he said—

“ ‘O, beg-pardon, I should have said the hen—the hen first; yes, the hen was first, and then the egg.’

“The shuffle was too transparent, and urged on by the promptings of her curiosity to know ‘WHENCE’ as to the egg or the then, she said—

“ ‘But the hen herself, if she were first, how did she come there?’

“He is completely nonplussed, but to wriggle out of his embarrassment, he replied—

“ ‘My dear, that is your own puzzle; I will leave you to yourself to answer it.’

“ ‘I think,’ said the little one, ‘the hen was first, and that IT WAS GOD THAT MADE HER.’

“The company could no longer restrain themselves, and there was a buoyant cheer and a hearty clap for the unconscious disputant, to the inexpressible confusion of the philosophic free-thinker.

“Thus it is that the Divine words are often exemplified, ‘*Out of the mouth of infants and of sucklings Thou hast perfected praise, because of Thy enemies.*’ (Ps. viii. 3.) Thus it is that the indefatigable inquiry ‘WHENCE’ works its way, beginning with the first unfolding of our intelligence, and evolving unconsciously from the most tender years the philosophic argument ‘*ex entibus contingentibus,*’ which gave us so much trouble to put into technical form in our philosophical studies.

“And is not the Deaf-mute as curious as the hearing and speaking child? Rather more so, on account precisely of not hearing or speaking. He sees all that his brothers and sisters

and his little neighbours see. He sees more even than they, his vision making up to a certain degree for his deficiencies otherwise, and whilst he devours in a manner all he sees. his insatiable curiosity within applying all the powers of his mind to this raw material, as it may be called, that he has received from without, he works it up by the various intellectual operations of attention, comparison, abstraction, and generalization that are going on, although often unconsciously, in all minds and producing our stock of rational knowledge. Add to all this his communications with father and mother, with brothers and sisters, and all around, and their particular attention to him, which, indeed, is sometimes excessive, considering, at the same time, that they have access to his mind by the conventional signs, which have come from the participation of a common life with him, the effect must be a sharing on his part with those of his own age in mental cultivation and progress, according as their minds are being developed and acquire knowledge. And in this communication of mind with mind, will not the mind of the Deaf-mute child go up to its Creator as to the original 'WHENCE' of all things, as well as the minds of his young associates with whom he lives his daily life?"

Having replied to the four questions already mentioned, the Author disposes of a variety of objections commonly made to his positions. After this he proceeds to the other Sacraments, delaying considerably on the Blessed Eucharist, to show, from the institution of this adorable mystery, from the teaching of St. Paul, and the traditional doctrine, and practice of the Church from the beginning, how the claim he advocates is established on the most solid footing.

The Author, however, desires throughout that the case he states be kept steadily in view according to the terms in which he lays it down; and he is careful to distinguish it from the case of the poor Deaf-mute brought up in a family careless as to their religious duties, whose parents fatally considered him not to be a subject for any religious practice, and who, therefore, resigned himself to this false and sad position, allowing himself as an outcast from human society to be spoiled and befooled as he was growing up, and so continuing through life an object, at best, of sterile compassion, but utterly neglected as if the poor creature had neither a God to serve nor a soul to save.

For these poor children of affliction the Author has, nevertheless, words of consolation, and he points out how, notwithstanding the way in which they have been neglected, and discarded, and spoiled, they can still be recovered and restored to the rights of their Baptism in the

participation of the Sacraments. This portion of the Pamphlet, as being quite distinct, we will reserve for future notice.

Having treated of those poor outcasts at considerable length, and with great practical effect, the Author takes up the cause of the Deaf and Dumb children at home, before they are sent to the Institution, and shows what parents can do, and are therefore bound to do for them whilst in their hands. As he observes, there may be some delay in obtaining admission into the Institution, which though through God's goodness and the bounty of a generous Catholic public, the largest in the world, is incapable of receiving more than one-half of the Deaf Mutes who, according to ascertained statistics, are of a school age in the country; and, consequently, a moiety of these poor objects must be deprived of the advantages of a systematic education. On this account he urges the parents to do all they can for their poor Deaf and Dumb offspring, as if they were never to be admitted into the Institution.

In this portion of his Dissertation the Author would address himself in terms of earnest sympathy to the parents themselves, pointing out to them their duty, and exhorting them to employ the means he lays down in detail for its fulfilment. He speaks as follows:—

“From speaking at such length of the uninstructed and adult Deaf-mute, I come now to speak of the Deaf-mute child. I would address myself to the parents immediately, and say to them, ‘I sympathize with you most earnestly, and feel with you, that you have, humanly speaking, a great family calamity. But you are Christians, and you will lift up your thoughts on high, and think that it is God Himself that has sent you this dear little one, Deaf and Dumb though he is. Listen to His own words—*‘Who made man’s mouth? or who made the Dumb and the Deaf? Did not I?’—Exod. iv. 11.* Joint parents, therefore, as you are, say together, and say to God, ‘**THY WILL BE DONE.**’ You will not be satisfied with a mere act of resignation to the Divine will, but considering God is good and merciful in what He wills, although for the moment we may not see it, you will say to each other, God has intended a blessing for us in this dear child, and let us lift up our hearts to Him and thank his Divine goodness.’ I knew a good mother who had an idiot child, and taking a Christian view of the poor creature, she accepted it, and regarded it as ‘the blessing’ of her family. It engaged, therefore, more of her attention than the other children, and God repaid her richly in the multiplied blessings He poured down upon her and her whole house.

“When your little one begins to notice things as they come

within its view, the time is come for you, its mother, to begin the forming of its heart and the training of its affections. God Almighty has made our countenances and particularly our eyes the mirrors of our souls, and it is from the looks of the mother and of its nurse the child receives its first impressions and the first moulding of its heart. This is more especially so for the Deaf and Dumb child, as on account of its privations it is less distracted than other children, and therefore exerts the eyes all the more to gather meaning from the looks of others. As the mother, therefore, of your child, begin at the earliest moment to speak to it by your looks, and speak to it according to the affections of a Christian heart; and you, father, join your wife in this exercise of parental affection and duty towards your common offspring.

“Later on, you will follow up your task by gestures, recollecting that, even with your speaking children, your first language is gestures, and you will find that you and your child will understand each other nearly as well as the other children upon all the little matters their minds are capable of taking account of. Your other children will join you, and help you in this Deaf-mute language with their little brother or sister, and he or she will thus become the little idol of the house.

“You will accompany your signs and gestures with words, merely moving your lips, as if whispering, your little one looking at your lips, and at the same time looking at your signs and gestures. By this practice your child will come by degrees to understand your words. Make the other children do the same. This is a matter of the greatest importance. I knew a man who was quite deaf, so as not to hear the loudest sound, but he could speak, having lost his hearing some time during life. He and his wife could converse upon any subject, she merely articulating the words in the lowest voice, which he understood most correctly from the habit of observing the motion of her lips. This is called lip-reading, and it is practised as a system in several schools for the Deaf and Dumb.

“All along, keep away from your minds, both father and mother, that hearing is necessary in order to obtain entrance into your child’s mind. Sight-seeing is to do double work for it, the work of the ears as well as that of the eyes. Especially bear in mind that hearing, however useful, is not absolutely necessary for your child to know, love, and serve its God, who gave it to you, as it is, Deaf and Dumb. Therefore, as soon as it is able to govern the motion of its own little right hand, train it to make the sign of the Cross, and defend itself *‘by this shield of faith against the fiery darts of the most wicked one.’—Ephes. vi. 16.* Words are not necessary for this. Also teach your little one from its tenderest years to sprinkle itself with holy water, and make itself thereby partaker of the multiplied blessings imparted to it by the Church.

“When you, his mother, say your own prayers, have your child, as soon as he will remain steady, to kneel by your side. His poor mute lips, believe me, will be as much noticed as your words by that good God, who Himself declares, ‘*To whom shall I have respect but to him who is poor and little?*’—*Isaias lxvii. 1*—whilst He complains of so many speaking people ‘*that honour Him with their lips, but their hearts are far from Him.*’—*Matt. xv. 8*. At your family prayers you will see that your little Deaf and Dumb one is always in attendance, and be assured that He who has said that ‘*Where two or three are gathered in My name, there am I in the midst of them*’ (*Matt. xviii. 20*), will take special notice of him or her, as He always did when on earth, with regard to the Deaf and Dumb. The closed lips will be no hindrance to the mercy of that bountiful Father, ‘*Who knoweth what is needful for us, before we ask Him*’—*Matt. vi. 7*., and has declared by His prophet, ‘*And it will be before they call I will hear.*’—*Ps. lxxv. 25*.

“Your child is now able to run about, to go out and in. You will send him out with his brothers and sisters to share in their recreations and amusements. They can have little plays, in which he can have part, and take care that they do not put him aside. As soon as he will be capable, send him upon little messages, and receive his account, as he will give it to you by gestures, of all he has seen on the way; and your manner on all such occasions is to be most kind and encouraging. But, observe to keep him away from naughty companions, who would spoil and befool the dear poor creature. You will take him with you yourself when visiting friends in the neighbourhood, and make him salute his friends and neighbours as he meets them. Especially if you meet the Priest, you will have him trained to the usual form of reverence, and you will engage the Priest’s kind notice of him, telling him how intelligent the little creature is, how he blesses himself, joins you in prayer, and that you hope to have him prepared, in due time, to go to Confession, and to receive Confirmation when the Bishop will come round on Visitation. Then ask the Priest to give him his blessing.

“Bring him to Mass as soon as any of the other children, and keep him by you, and both you and your husband, as well as your other children, will satisfy his pious curiosity afterwards about everything, especially about the Elevation and Holy Communion. Remember that the piety and reverential demeanour of the people will instruct him better than all the words in the world apart from such example, for, as St. Bernard says so well, ‘*Louder is the sound of works than of words.*’

“He is now at an age to go to school. Send him, by all means, with the other children. You will try to interest the Master particularly in his regard. Make him understand that there is no mystery in teaching the Deaf and Dumb, and that with a little pains and superintendence on his part the work can go on by the kind services of the other scholars.

“There are five tasks or courses to be accomplished in the following order :—First, the alphabet ; second, objects ; third, qualities or kinds of objects ; fourth, acts ; fifth, numbers.”

After having taken the ordinary school teacher through these five courses of elementary teaching, the Author shows how he is to convey speculative and moral ideas to the mind of his little pupil, after which, addressing the parents, he says to them :—

“The time has now arrived when you should be thinking of sending him to the Institution for the Deaf and Dumb. By all means, send him as soon as you can. But there may be some difficulty and delay, and, therefore, attend most earnestly to the advice I am going to give you. It is, that you are yourselves, father and mother, to whom I am speaking, to do everything for your child that you can do for him, up to the moment you place him in the Institution, just as if there were no such Institution in the world, or as if it were impossible to get him admitted into the Institution so happily existing in Ireland. The reasons are, because you can teach him yourselves, and therefore you are bound to do all you can to bring him up in the knowledge, fear, and love of God as well as your other children, and to do everything else for him that you are bound to do for them. In the next place, if you neglect him, in the idea that the Institution will do everything for him, you will have spoiled him before you can have him admitted ; and finally, it may happen that he may not be admitted at all, and then what is to become of him, and how can you stand before your God to account for your neglect ?

“Therefore, from the commencement, bring him up in every way you can, as if he were never to have the advantage of an Institution ; and having done for him all we have pointed out already, you will prepare your dear child in due time for Confession. His Confessions for some time will be easy, like those of other children, and he will so prepare himself to make his Confession in regular form when necessary. You will have an understanding with the Priest beforehand, and you will send the dear child with his slate and pencil to the Holy Tribunal. On the slate you will write any faults you have observed in him, in the manner we have seen in an earlier part of this Dissertation, and the Confessor will write the penance, which you will see your child perform. If he still be with you, and be of an age for Confirmation, present him, by all means, to the Bishop through your Parish Priest. Have him also prepared as well as possible, at the usual age, for his First Communion, and do not postpone this the greatest duty of early life beyond the time for your other children.

“If your Deaf-mute child be a little girl, you will do everything for her in the same way, and the schoolmistress will do all that we

have said respecting the schoolmaster in the supposition of the child being a little boy. In a word, do everything, and have everything done *at home* that can be done, just as if your child should never go to an Institution, and remember constantly that you can do *at home*, or have done *at home*, all that is necessary for its salvation, and that you are bound before God to all this by your obligations as parents of the child He has given into your charge, and for whom, as well for your other children, our merciful Saviour has bled and died."

The Author addresses in the end some words of advice respecting children who have had the advantage of education and training in the Institution with a view to their perseverance, and closes as follows:—

"It only remains that, as friends of the poor Deaf and Dumb, we look for the blessed hope and coming of the glory of the Great God, and Our Saviour Jesus Christ, when, as neither mourning, nor crying, nor sorrow shall be any more; so shall all bodily deficiencies have passed away, and we shall all meet unto a perfect man, unto the measure of the age of the fulness of Christ, when '*the ears of the Deaf shall be unstopped, and the tongue of the Dumb shall be free*' (Isaias xxxv. 5, 6), to join in the glorious concert of thousands and thousands, saying with a loud voice, "*The Lamb that was slain is worthy to receive power, and divinity, and wisdom, and strength, and honour, and glory and benediction, for ever and ever. Amen.*"—*Apoc.* v. 12, 13.

We hope to return in an early issue upon our review of this most important Dissertation, involving, as it does, the spiritual welfare of thousands of our fellow-creatures, in order to present the case of the adult uneducated Deaf and Dumb.

EDITOR.

LITURGICAL DECREES.

I.

Proper Mass for the occasion of Laying the Foundation Stone and of the Dedication of a New Church.

I. The proper Mass for the occasion of laying the foundation stone of a New Church is the Mass of the Saint selected as its future Patron, except on the more solemn feasts of the year. It is to be celebrated, whether sung or only read, as a solemn Votive Mass, excluding all commemorations. The bishop, or a priest, may celebrate on the occasion.

II. The Mass of the Patron, under the rite of a solemn Votive Mass, is also the suitable one for the occasion of the blessing of a New Church.

III. On the occasion of the Consecration of an altar or church, the proper Mass is that marked in the missal "for the day of the Dedication of a Church or Altar," except on the more solemn feasts of the year, when a commemoration of the Consecration is to be made in the Mass *sub unica conclusione*.

DECRETA.

I.

Pontificale Rom. habet sub fine tituli, *De benedictione et impositione primarii lapidis pro Ecclesia aedificanda*:—"His expletis (Episcopus), si velit, parat se ad celebrandam Missam in dicto loco, de Sancto in cujus nomine Ecclesia fundatur"—Quaeritur:—

1°. Adsuntne dies, in quibus talis Missa uti prohibita habenda est?

2°. Haec Missa, sive canatur, sive legatur, quo ritu celebranda est, scilicet, ut votiva solemnitas pro re gavi, exclusa omni commemoratione, an ut votiva privata?

3°. Si Episcopus nolit tamen Missam celebrare, potestne illam alius sacerdos celebrare?

S.R.C. resp:—

Quoad 1^{am}, *Affirmative, scilicet dies infra annum solemniores.*

Quoad 2^{am}, *Affirmative ad primam partem; negative ad secundam.*

Quoad 3^{am}, *Affirmative.*

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II.

Rituale Romanum titulo, *Ritus benedicendi novam Ecclesiam*, praecipit, ut peracta benedictione—"dicatur Missa de tempore vel de Sancto"—Quaeritur:—

1°. De quo Sancto celebranda erit haec Missa, scilicet de Sancto occurrente, an de Sancto, in cujus honorem dedicatur Ecclesia?

2°. Quatenus negative ad primam partem, affirmative ad secundam, quo ritu celebranda est, ut in secundo quaesito dubii praecedentis?

S.R.C. resp.:—

Quoad 1^{am}, *Negative ad primam partem, Affirmative ad secundam.*

Quoad 2^{am}, *ut in primo dubio ad 2^{am}.*

III.

Peracta consecratione alicujus Ecclesiae, vel Altaris, in Pontificali Romano praescribitur ut dicatur Missa prout notatur in Missali—"in ipsa die dedicationis Ecclesiae vel altaris"—Quaeritur:—

1°. In hac Missa, sive agatur de consecratione Ecclesiae, sive altaris, debentne fieri illae commemorationes, quae ne in duplicibus

quidem primae classis omittuntur, uti de Dominica, de Feria privilegiata, etc. ?

2°. Licetne celebrare talem Missam in utroque casu exposito, in omnibus anni diebus, nullo excepto ?

3°. Si aliqui dies excipiuntur, in Missa diei, debetne saltem fieri commemoratio Dedicatiois ?

S.R.C. resp. :—

Quoad 1^{am}, *Negative*.

Quoad 2^{am}, *Negative*, juxta Rubricas et decreta.

Quoad 3^{am}, *Affirmative* sub unica conclusione.

II.

Proper Mass for a Special Want.

If a Bishop wish to celebrate a solemn Votive Mass on the occasion of some public and pressing want, for which, however, no special Mass, but only a Collect, is provided in the missal, as, for example, *ad pluviam petendam*, *ad postulandam serenitatem*, he should take the Mass *pro quacunque necessitate*, adding the special Collect *sub unica conclusione*.

DECRETA.

1°. Occurrente aliqua gravi et urgente necessitate, pro qua nulla Missa specialis in Missali notatur, sed adest tantum collecta, ex. gr. ad petendam pluviam, ad postulandam serenitatem, etc., si in his rerum adjunctis Episcopus vellet Missam solemnem pro re gravi celebrare, quam missam dicere deberet ?

2°. Quod si haec missa esset illa pro quacunque necessitate, et substituere collectam particularis necessitatis, quae urget; an retenta illa, addere et hanc sub unica conclusione ?

S.R.C. resp. :—

Quoad 1^{am}, *in casu dicenda foret Missa pro quacunque necessitate*.

Quoad 2^{am}. *Negative ad primam partem; Affirmative, ad secundam.*

III.

Votive Masses of the B. Virgin and of the S. Heart of Jesus.

The Mass of the Immaculate Conception, *Gaudens gaudebo*, is not included in the prohibition (12 Mart. 1678, *in Mexican.*), which forbids the celebration of the Proper Masses of the B. Virgin as Votive Masses.

The other Masses of the B. Virgin, such as those of Mount Carmel, the Rosary, Our Lady of Good Counsel, Help of Christians, the Purity, &c., cannot be said as Votive Masses.

The Mass of the S. Heart of Jesus, *Miserebitur*, can be said as a Votive.

DECRETA.

Sacra Rituum Congregatio die 12 Martii 1678 in *Mexicana ad VIII.* decrevit; "ut Missae propriae Festivitate Beatae Mariae Virginis non possint celebrari uti votivae." Quaeritur:—

1°. In hac prohibitione includiturne etiam Missa proxime concessa Immaculae Conceptionis cujus introitus *Gaudens gaudebo*?

Ratio dubitandi ex eo oritur quod post Graduale praedictae Missae inveniuntur variationes in ipso Graduali faciendae, prout diversa sunt tempora anni, praemissis verbis, in *Missis votivis*.

2°. Missis sub variis titulis Beatae Mariae Virginis, ex. gr. Montis Carmeli, Smi. Rosarii, Boni Consilii, Auxilii Christianorum, Puritatis etc., comprehenduntur in regula Festivitatum ita ut nunquam dici possint uti votivae (exceptis diebus Octavae, si habeant)?

3°. Item Missa Sacratissimi Cordis Jesu, cujus introitus *Miserebitur*, potestne celebrari ut votiva?

S.R.C. resp. :—

Quoad 1^{am}. *Negative*.

Quoad 2^{am}. *Affirmative*.

Quoad 3^{am}. *Affirmative* juxta decreta in *Mechlin.* . . . diei 1 Septembris 1838 ad III^m et in *cameracen* diei 11 Septembris 1865 ad V^m.

IV.

Privileged Days for Requiem Masses.

I. The privilege of celebrating a Requiem Mass, even at the mere request of relatives or friends, the testator not having provided for it, on the privileged days (the 3rd, 7th, 30th and Anniversary), extends to double major feasts.

II. The Octave of Christmas, like the other privileged Octaves, excludes the Anniversary Mass de Requiem.

III. A Requiem Anniversary falling in one of the privileged Octaves is transferred, and when transferred, the Requiem Mass may be celebrated on a double minor, but not on a double major feast.

In reckoning the 3rd, 7th, or 30th day for a privileged Requiem Mass, the day of death, or of burial, may be counted or not, according to the custom of the particular Church.

DECRETA.

I.

S.R.C. decreto diei 22 Martii, 1862, in una Palmae in Balear (ad 2dam), decrevit quod "ad celebrandam Missam de Requiem in duplici non impedito diebus 3, 7, et 30 non requirit quod defunctus

sic ordinaverit in suo testamento, sed sufficit voluntas consanguineorum, amicorum, vel testamenti executorum” :—

Quaeritur :—1°. Sub verbis *Duplici non impedito*, comprehenditur etiam festum duplicis majoris ?

2°. Quatenus affirmative, licetne hanc decisionem retinere etiam pro funeribus anniversariis ad petitionem Vivorum, non relictis a testatoribus ?

S.R.C. resp. :—

Quoad 1^{am}. *Affirmative* ; quoad 2^{am} provisum in praecedenti.

II.

Pluries S.R.C. decrevit, quod in Octavis privilegiatis celebrare non liceat Anniversaria pro defunctis.

Quaeritur : praeter Octavas Epiphaniae, Paschatis, Resurrectionis, Pentecostes, Corporis Christi, debetne considerari uti privilegiata etiam Octava Nativitatis Dominicae ita ut haec quoque anniversarium funus excludat ? Dubium oritur ex quo scriptores rerum liturgicarum de hac re alii aliter sentiunt.

S.R.C. resp. :—*Affirmative*.

23rd Febr., 1884.

III.

1°. Decreto S.C.R. diei 3^o Decembris, 1701, in una Bergomen. Ad 3^{am}. Statutum fuit ut Anniversaria pro defunctis, quae in Octavas privilegiatas incedunt, cum post praedictas Octavas transferri debeant, privilegium amittant, ut celebrari possint in duplici majori.

Quaeritur :—Quum haec anniversaria celebrari nequeant in duplici majori, poteruntne celebrari saltem in duplici minori ?

2°. Quatenus affirmative ad primam partem, valetne id etiam pro iis anniversariis quae quum in Majorem Hebdomadam inciderint, post Octavam Paschatis celebranda sunt ?

S.R.C. resp. :—

“ Quoad 1^{am}. *Affirmative*. Quoad 2^{am}. provisum in praecedenti.”

23rd Febr., 1884.

IV.

In determinando die 3, 7, etc., quum hic dies computari possit vel a die mortis vel a die depositionis.

Quaeritur :—Dies mortis, vel depositionis, debetne includi an excludi ? *ex. gr.* : Si depositio fiat primo die mensis, et quum velit determinari dies tertius a depositione, erit dies tertius an quartus ejus mensis.

S.R.C. resp. :—“ *Utramque servari posse, juxta Ecclesiae consuetudinem.*”

23rd Febr., 1884.

V.

Books of Church Chant. Pustet's Private Right to his Editions.

The Sacred Congregation asserts the private right and property which the celebrated publisher, Pustet, of Ratisbon, has in the editions of the books of Church chant published by him.

Extracts from those books may be published, with the usual imprimatur and approval of the Ordinary, provided Pustet's right in the editions be duly respected.

DECRETUM.

An, stante privilegio ab Apostolica Sede concesso cl. Equiti Frederico Pustet typographo Ratisbonensi pro editione librorum choralium authenticorum praesertim Antiphonarii et Gradualis, nemini liceat ab iisdem libris aliquam partem excerpere, ac separatim evulgare?

Itaque S.R.C. id in casu declarandum censuit nimirum:

Rms. Episcopus poterit revidere opus, et fidem facere de concordantia cum Originali approbato, salvo tamen jure typographi Pustet privato quoad editionem.

Romae die 12 Februarii, 1883.

D. CARD. BARTOLINIUS, S.R.C.

VI.

Decisions of the Congregation of Indulgences regarding the Benedictio in Articulo Mortis.

1. This Indulgence can be given only *in vero articulo mortis*, and not before this stage of sickness has been certainly reached.

The Congregation seem to evade the adoption of the principle that this Indulgence can be given whenever the Last Sacraments can be given, that is, when the *periculum mortis* is prudently and reasonably *presumed* to have come.

2. The Congregation declares that Prinzivalli is incorrect when, in his collection of Decrees, he represents the Congregation as deciding that this Indulgence *in Articulo Mortis* may be received more than once in the same sickness, whether from the same or different priests; and that, on the other hand, the decision given in Pustet's Edition of the *Decreta Authentica Indulgentiarum* is right, which says that this Indulgence can be given only once in the same sickness, even though the dying person have many distinct claims to it; for instance, as an Associate of the Confraternity of the Rosary, of the Scapular of Carmel, of the Holy Trinity, &c.

DECRETA.

I.

An, non obstante S. C. Indulgentiarum declaratione 23 Aprilis, 1675, quae habet. "Indulgentiam Plenariam in articulo mortis *in vero tantum articulo accipi*," haec Indulgentia seu Benedictio Apostolica (quamvis in vero articulo mortis tantum lucranda ut supponitur) impertiri tamen jam potest simul ac quis versatur in periculo mortis prudenter existimato seu rationabiliter praesumpto,

ita ut servari queat hic existens consuetudo eandem concedendi, quando exeuntium sacramenta conferuntur, sive magis urgens periculum expectari possit, sive non?

II.

Quod si ad 1^{um}. respondeatur negative, an saltem in dubio, utrum Benedictio Apostolica debito tempore fuerit concessa, haec, urgente magis periculo, iterari potest in eadem infirmitate, ideo quod forte prior concessio fuerit invalida ob defectum veri mortis articuli?

III.

In una ditionis Belgicae 12 Martii, 1855, legitur. "Cum Sacra Congregatio Indulgentiarum in una Valentinen. sub die 5 Februarii, 1841. Sequenti dubio:—

"Utrum infirmus pluries lucrari possit Indulgentiam plenariam in mortis articulo a pluribus sacerdotibus facultatem habentibus impertiendam?

"Resolutionem dedisset; *Negative* in eodem mortis articulo, exinde quaeritur:

"1^o. Utrum vi praecedentis resolutionis prohibitum sit infirmo in eodem mortis periculo permanenti, impertiri pluries ab eodem vel a pluribus sacerdotibus hanc facultatem habentibus Indulgentiam Plenariam in articulo mortis, quae vulgo Benedictio Papalis dicitur?

"2^o. Utrum vi ejusdem resolutionis item prohibitum sit impertiri pluries infirmo in iisdem circumstantiis ac supra, constituto Indulgentiam plenariam in articulo mortis a pluribus sacerdotibus hanc facultatem a diverso capite habentibus, puta ratione aggregationis confraternitati SSmi. Rosarii, Sacri Scapularis De Monte Carmelo, SSmae. Trinitatis, etc?"

Ad duo haec dubia juxta collectionem Prinzivalli, quae authentica recognita fuit, Sacra Congregatio Indulgentiarum respondit:—

Ad primum et secundum: *Negative*, firma remanente resolutione Valentinen. Sub die 5 Februarii, 1841.

Juxta authenticam vero collectionem, quae anno 1883 prodiit Ratisbonae, eadem Sacra Congregatio respondendum censuit:

Affirmative ad utrumque, firma remanente resolutione in una Valentinen. Sub die 5 Februarii, 1841.

An hoc responsum ultimum ut authenticum habendum est ita ut mutanda veniat praxis Sacerdotum, qui solent ex diverso capite Benedictionem Apostolicam in eodem mortis articulo pluries impertiri?

Sacra Congregatio Indulgentiarum et SS. Reliquiarum propositis dubiis respondit:

Ad 1^{um}. *Standum declarationi, d. d. 23 Aprilis, 1675.*

Ad 2^{um}. *Provisum in primo.*

Ad 3^{um}. *Servetur ad amussim responsio prouti prostat in postrema editione Ratisbonensi typis Fred. Pustet cusa.*

Datum Romae, 12 Junii, 1884.

L. CARD. BONAPARTE.

CORRESPONDENCE.

ST. BONIFACE AND ST. VIRGILIUS.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

REV. SIR,—I am sure that most of your readers are rejoiced to see that Dr. Healy's episcopal duties do not prevent his continuing his very interesting series of Papers on ancient "Irish Theologians." Some months ago you kindly admitted a letter of mine on "The Nationality of St. Boniface," and my study of the "Life" of that great Apostle of Germany has led me to examine closely his relations with Missionaries of undoubted Irish nationality, and especially with St. Virgilius. My reading has brought me to conclusions, which differ in some respects from those set forth by Dr. Healy in his biography of St. Virgilius (I. E. RECORD, November, 1881), but as they appear to me to be more honourable to both of these great Saints, I trust you will allow me to state them, with the grounds which support them.

The name "Virgilius" occurs twice in the correspondence of St. Boniface. Once in a short letter from Pope Zachary to him, where the Pontiff tells St. Boniface that "Virgilius and Sidonius (*Religiosi viri*) living in the province of the Bavarians, have sent us letters, by which they have intimated to us that your Paternal Reverence enjoined them to baptize Christians over again," on the ground of an ignorant priest having baptized, "*In Nomine Patria et Filia et Spiritua Sancta*" (Wurdwein reads "*Spiritus Sancti*"). And again, in another letter of Pope Zachary, the Pope mentions one Virgilius, "nescimus si dicatur presbyter," who had been accused by the Saint of having sowed dissension between Boniface and Duke Ottilo, and was denounced by the former as holding perverse opinions about the Antipodes. There is nothing except the name to connect the two together, still less to connect either of them with St. Virgilius, Bishop of Salzburg and Apostle of Carinthia. Dr. Healy adopts the opinion of Baronius in supposing that there is only one Virgilius, who was in conflict with St. Boniface, and afterwards Bishop of Salzburg. I prefer the opinion of Le Cointe and Pagi, who held that, as there were at least two Sidoniuses in the time of St. Boniface, so there were two, if not more, monks of the name of Virgilius. Dr. Healy says: "This hypothesis is intrinsically improbable, and altogether unsupported by evidence." Let us see.

Is it "intrinsically improbable?" St. Boniface was invited to Bavaria by Duke Ottilo in 739; and, by the full legatine powers he had received from Pope Gregory III. he regulated the whole ecclesiastical affairs of the province; filled up the bishoprics which were all vacant, except that of Passau, to which Gregory

himself had consecrated Vivilo ; deposed invalidly ordained bishops and priests ; and encouraged the numerous pious foundations of the Duke and his nobles. He appointed John Bishop of Salzburg. Pope Zachary, in 743, confirmed all the powers that his predecessor had conferred upon St. Boniface, and especially commended him for his conduct in Bavaria. The following year, according to Baronius, the Pope writes to St. Boniface, telling him the charge made against him by Virgilius and Sidonius, and correcting the error which they attributed to the Saint. Dr. Healy says, "Boniface declared that the baptism was invalid," and after the decision of the Pope, "Boniface yielded prompt obedience to the Apostolic See, but, although a saint and martyr, he felt sore at the victory gained over him by the Irish stranger who intruded into his spiritual domain, and seemed to supplant him in favour with the Duke Ottilo." There is no evidence of these feelings of soreness, neither is there any evidence of Boniface yielding "prompt obedience." No doubt he would have done so, had it been necessary. But what if it were only a calumny of the two monks? We are not in possession of St. Boniface's reply to the charge, but we have a subsequent letter of Pope Zachary, in which the Pontiff says :

"As to the aforesaid Sidonius and Virgilius, priests, we acknowledge what your Holiness has written. We have written to them, as was fitting, words of warning. More credence must be given to you, Brother, than to them. If it please God to grant us life, we will send Apostolic letters, as stated above, and summon them to the Apostolic See. For you have given them teaching, and they have not received it ; and it has happened to them, as it is written in Wisdom : 'He that teacheth a fool, is as one that gluelh a potsherd together. Sand and salt, and a mass of iron is easier to bear than a man without sense, that is both foolish and wicked.' For, 'He that wanteth understanding thinketh vain things, and the foolish and erring man thinketh foolish things.' (Eccles. c. xxii., 7, 18 ; c. xvi. 23.) Do not therefore let your heart be provoked to anger, Brother : but in your patience, when you meet with such persons, reprove, entreat, rebuke them, that they may be converted from error to the way of truth. And if they are converted, you have saved their souls : but if they abide in their hardness, you will not lose the reward of your ministry, but avoid them according to the Apostle's word." (Epist. lxxxii. Würdtwein.)

This letter shows that Sidonius and Virgilius had made certain charges against Boniface, which he had refuted, and concerning which the Pope considers him more worthy of credit than his assailants, to whom Zachary had sent a sharp reproof. I cannot see any "intrinsic improbability" in supposing that these charges were the accusations which these two priests had made against Boniface for, as they alleged, rebaptizing. The preceding paragraph treated of the Virgilius whom Boniface had denounced, but it is curious that the word "aforesaid" is applied to Sidonius and not to Virgilius : "*Pro Sidonio autem supradicto, et Virgilio presbyteris.*" This letter must, at latest, have been written in 747, since

that was the last year of Ottilo's life, and it is dated the 29th year of the Emperor Constantine.

I do not know on what authority Dr. Healy gives Sidonius the appellation of Saint. If he be the same who about this time became Bishop of Constance, the records of him scarcely justify his canonization. Hermann Contractus, under the year 746, after mentioning St. Boniface's appointment of St. Burchard to the Bishopric of Wurtzburg, and St. Willibald to that of Eichstat, says : " Sidonius, a monk of Reichenau (*Augiae*), the fifth abbot of that place, and made Bishop of Constance, presided for 13 years. He also scheming to obtain the monastery (*cellam*) of St. Gall likewise, concurred with evil princes in the condemnation of the Abbot St. Othmar." Further on, under 759, he says : " St. Othmar Abbot, was by Warin and Ruthard, with the concurrence of Bishop Sidonius, unjustly condemned, and banished to the Island of Stein on the Rhine, departed to the Lord. When Sidonius, Bishop and Abbot, had with presumptuous daring invaded his Abbey, before the Altar of St. Gall, he was struck with a flux in the belly, and perished." In 769, " The body of St. Othmar Abbot, after ten years, was found incorrupt, in the island where he died, and was translated to the monastery of St. Gall." (Canisius, Tom. III., p. 248.) If Dr. Healy is correct in his supposition that the Sidonius who opposed St. Boniface was afterwards " Archbishop of Bavaria," or rather Bishop of Constance, his terrible end, strangely like that of Arius, tells greatly against his sanctity.

It is true that Pagi does not give any reasons for his belief in there having been two Virgiliuses, but Le Cointe had given the grounds for this mode of solving the great difficulties that otherwise beset the Lives of St. Boniface and St. Virgilius, in " *Annales Eccles. Francorum*, Tom. v. p. 196." Pagi is quite correct in stating that St. Virgilius was the fifth Bishop of Salzburg, for the short Catalogue published by Canisius, although it enumerates after St. Rudbert Vitalis, Ansologus, Savolus, Ezzius, Flobargisius, Joannes, Berticus, Virgilius, and Arno ; yet takes care to inform us that Ansologus, Savolus, Ezzius, and Berticus " governed the Bishopric without the Pontifical order and dignity," that is, as Abbots. Thus St. Virgilius was really the fifth *Bishop*, although the eighth ruler of the See.

There are, as Dr. Healy points out, many chronological difficulties in the "Life" of St. Virgilius. From the records, we should gather, with Dr. Healy, that he was probably consecrated Bishop of Salzburg in 766 or 767. The "Life" tells us that he delayed his consecration for nearly two years after his appointment. But the same authority informs us, that on his arrival from Ireland, Virgilius was honourably entertained by Pepin at Cressy for two years, and "in the time of Ottilo, Duke of the Bavarians, who was then with the whole province of Noricum subject to the said King of the Franks, the Church of Salzburg, . . . was without a Bishop

of its own. But King Pippin, a prince beyond everything most Christian, and eager with no small desire for the increase of the Church of God, granted the Bishopric of Salzburg as a debt of royal bounty, to St. Virgilius, and sent him to the above-mentioned Duke of Noricum as to his dearest friend, to be received with the greatest honour." It might be naturally inferred from this, that Virgilius had not been more than four years in his pilgrimage, when he was made Bishop of Salzburg. But this would be a great mistake, as it would place his coming over from Ireland long after the death of Duke Ottilo in 747, and indeed after the martyrdom of St. Boniface. The very circumstantial details given in the "Donations made to the Church of Salzburg" published by Canisius, and compiled by Virgilius himself and his successor Arno, throw great light upon the relations between St. Virgilius and Duke Ottilo.

We learn from these writings that Duke Ottilo rebelled against Carloman and Pepin, and was defeated by them, and remained in an honourable captivity with Pepin in France for some time, *multis diebus*; Hermann places this in 743. In his exile (*peregrinatione*), there was with him a certain priest, as his chaplain, named Ursus, a lineal descendant of one of the original founders of the shrine of St. Maximilian, where a chapel had been built to his honour by St. Rudbert, which was afterwards destroyed by the Pagan Selaves. Ursus came to Duke Ottilo, and begged him to give him this same plot of ground as a benefice. Ottilo, not aware that it had been formally granted to St. Rudbert for his See, gave it. But afterwards, when the [Irish] pilgrim Virgilius by grant of Duke Ottilo, undertook the government of the same See and Bishopric of Salzburg (*Juvavensis*), he learned how the case stood, and came to Ottilo, and told him the whole matter in order from the beginning, and demanded of him according to strict justice to restore this property to St. Peter to the said See. But Ottilo was not willing to vex this priest of his, nor to take from him that benefice. Then Virgilius began to ask him for the sake of Tonazanus (the brother of the Ursus from whom the priest was descended, and co founder of the shrine), to give him half the property, which extended three miles each way. Ottilo declined to do this, but wished to compound with Virgilius for it with another property. But Virgilius altogether refused, and said to the priest who had begun to build a Church, 'why dost thou labour any more at that work? and why shouldest thou lay out more of thine own money there, that St Peter and St Rudbert may have so much the more? For if thou hast taken it to thine own destruction, not to thy profit. The days are at hand when it shall be restored by the power and will of good men and faithful to God.' However Duke Ottilo was not able to refuse him that half which he asked. Here Bishop Virgilius ordered his house to be built, and made his

priests live there with him, and they used to look after the whole half of the property, and so a mighty contention very often took place. The same priest Ursus, with the assistance of Duke Ottilo, built another Church, and wished to exempt it and that half of the property from the jurisdiction of St. Peter of Salzburg. He found a Bishop without a See named Luiti, and invited him thither, and he consecrated this church of discord. When Virgilius came to know of it, he excommunicated the church, and called it '*Discordia*,' and interdicted all priests from singing Mass there, or saying any divine office. And thus it remained excommunicated as long as Bishop Virgilius lived." (*De Donat.* CC. v., vi., vii.) The document concludes by stating, "All these things Bishop Virgilius took pains diligently to seek out from very old and trustworthy men and transmitted them in writing to the memory of posterity." The names of some of these are given, and among them occurs, "Syndonius Diaconus." May not this be another "Sidonius" slightly misspelt?

I gather from this glimpse of the relations of Virgilius with Ottilo, that St. Virgilius was Abbot of St. Peter's Monastery at Salzburg many years before he was Bishop, and that he was held in great fear by Duke Ottilo, with whom, however, he was not on the best of terms. It is hardly possible, that St. Boniface could have been in ignorance of his position in Bavaria, and could have suspected him of sowing discord between himself and the Duke. Then, again, he was far too important a person, between 743 and 747, for Pope Zachary to have said of him, at that time, "*nescimus si dicatur presbyter*," or to have applied to him the words: "*Mentita est iniquitas sibi*." The perfect understanding that subsisted between St. Boniface and Pepin makes it very improbable, that he would have formed an unfavourable opinion of St. Virgilius, who stood so high in Pepin's estimation. Indeed the whole conduct of St. Virgilius towards Ottilo is so exactly in accordance with what St. Boniface would have done under similar circumstances, that it is difficult to suppose that the two Saints were not in communication with each other at the time. I therefore submit, with all deference to Dr. Healy, that the identification of St. Virgilius with the opponent of St. Boniface, is "intrinsically improbable." In order to maintain it, so vast an amount of purely imaginary circumstances have to be invented to save the characters both of Boniface and Virgilius.

One of the most interesting parts of Dr. Healy's paper is, his very lucid account of the ideas conceived by Lactantius and St. Augustine with respect to the Antipodes. He points out very clearly that "what the Pope declared to be perverse and wicked doctrine—not heretical—was that there is another world, and another race of men—*alii homines*—and therefore not sons of Adam, and another sun and moon to shine upon them." He goes on to say, "but this certainly was not the teaching of Virgilius,

for according to him it was the same world, and the same sun and moon, and the same race of men who dwelt in the opposite regions of the world." Here I could have wished that his lordship had given us some more reliable information. We know that at this period, the Irish schools were famous throughout Europe for the variety and the solidity of their learning, and it is quite possible that "neither Boniface nor the Pope knew astronomy as well as Virgil, and hence they imagined he taught doctrines which were quite different from his real opinions." Still, it would have been more convincing, if Dr. Healy could have brought some evidence to show that the true notion of the Antipodes was taught in the Irish schools in the 8th century. Otherwise we are at liberty to believe that Virgilius really did hold the "wicked doctrine" attributed to him by St. Boniface, and censured by the Pope. We must suppose some *did* hold it, or else those holy men would have been fighting a shadow, and if Virgilius was *not* the saint, the accusation of Boniface was probably just.

In discussing this question, however, it would not be fair to pass over an argument, not touched upon by Dr. Healy, but alluded to by Archbishop Moran, in his "Essays on the Early Irish Church," p. 155. In the "Annals of the Four Masters,"¹ the following entry is to be found:—

"The Age of Christ, 784 [*recte* 789]. Ferghil, i.e. the Geometer, Abbot of Achadh-bo [and Bishop of Salzburg], died in the thirteenth year of his bishopric."

The learned editor, Mr. O'Donovan, says in a Note, "this is the celebrated Virgilius Solivagus. . . He was one of the most distinguished mathematicians of his time, and the first who asserted that there were Antipodes, for which it is said that he was declared a heretic, but never excommunicated or divested of the priesthood. A suspicion of heterodoxy was, however, associated with his memory till the year 1233, when he was canonized by Pope Gregory IX." Mr. O'Donovan cites as his authorities, Ware's *Writers*, p. 49, and Dr. O'Connor's "Annals of Ulster," p. 172. I have not the means of referring to these works, but doubtless some of your readers can do so. In none of the *ancient* documents published by Canisius or Mabillon is there any indication of "a suspicion of heterodoxy associated with the memory" of St. Virgilius. They always give him the title of "Sanctus," record the solemn translation of his Relics on their discovery in 1171, and narrate the extraordinary miracles that were worked at his tomb, one of which consisted in remarkable judgments that overtook a despiser of the saint. It is not, however, hinted that the disbeliever justified his contempt by any imputation on the orthodoxy of Virgilius. That is, I believe, an imputation of modern date. At the same time, I do not wish to impugn Mr. O'Donovan's judgment in supplying the words in brackets, "and

¹ *Annals*, vol. I., p. 391.

Bishop of Salzburg," and I am ready to admit that the appellation of "the Geometer," given by the Four Masters to St. Virgilius, is a proof that the Bishop of Salzburg had left a high scientific reputation behind him in his native land. This alone is not, however, sufficient to establish his identity with the opponent of St. Boniface.

Perhaps some of your correspondents may have access to Irish documents that may throw further light upon this interesting question.

I remain, Rev. Sir, yours faithfully,

W. R. CANON BROWNLOW.

ST. MARYCHURCH, TORQUAY.

DOCUMENT.

APOSTOLIC LETTER OF POPE LEO XIII. CONSTITUTING THE CANONICAL ERECTION OF THE NORTH AMERICAN COLLEGE IN ROME.

SUMMARY OF THE DOCUMENT.

Reference to the abiding and practical interest which the Apostolic See has taken in the American Church, the establishment of a North American College in Rome was ordered and helped forward by the late Pope Pius IX. This College was opened in 1859, but its canonical erection has been deferred up to the present time. Pope Leo XIII. now gives it all the rights and privileges of canonical erection, under the following constitution:—

I. The College is to have the Cardinal Prefect of Propaganda for its Protector.

II. The Administration of the College is to be in the hands of the Archbishops and Bishops of the United States of America, or of certain Prelates appointed by them for this purpose.

III. The arrangement for appointing a Rector is as follows:—The Archbishops and Bishops of the United States will send forward to Propaganda the names of three priests whom they deem to be fit for the office; and from these three the Pope, having first heard the opinion of the Congregation of Propaganda, will select the Rector.

IV. The Rector will be subject to the Cardinal Protector, and to the Episcopal Administrators of the College, and will be obliged to present to them an accurate statement of the financial condition of the College every six months.

V. The Rector will appoint, with the approval of the Cardinal Protector, a Vice-Rector. He will also present to the Cardinal Protector and the Episcopal Administrators for their approval the name of a proper person for the office of Bursar. He will appoint other necessary and competent officials.

VI. All Superiors, as well as Students, in the College will be subject to the Rector.

VII. No one is to be admitted as a Student who does not belong to the United States, or who has not given good grounds for hoping that he will become a priest and serve in the ministry.

VIII. Whenever a Fresh-Student is admitted, the Rector will communicate regarding him with the Bishop for whose diocese he enters College. The Rector will present to the Cardinal Protector every Student on his arrival in Rome, and again before the Student leaves Rome for his mission.

IX. Each Student will take the usual Oath, as in the other Pontifical Colleges, before he is admitted to Holy Orders.

X. The Students will attend the halls of Propaganda for their lectures. They will, moreover, have a resident priest, well versed in Philosophy and Theology, who is to help the Students in preparing their lessons at their own College.

XI. The Rector, with the approval of the Cardinal Protector, will choose for Confessor and Spiritual Director in the College, a priest approved by the Cardinal Vicar of Rome for receiving confessions, and this Director will reside in the College.

XII. The rules of the College will be those of Propaganda College, with such alterations as the peculiar circumstances of the American College may demand.

LITTERAE APOSTOLICAE SS^{MI} D. N. LEONIS XIII. DE ERECTIONE
URBANI COLLEGII STATUM FOEDERATORUM AMERICAЕ
SEPTENTRIONALIS.

Ubi primum latissimae Americae Septentrionalis plagae deductis ex Europa coloniis frequentia populorum celebrari coeperunt, Romani Pontifices Praedecessores Nostri ad eam regionem oculos convententes in qua modo florentissima ex foederatis statibus Respublica constituta est, omnes sollicitudines et studia sua in id contulere, ut catholica fides quaeque ex ea dimanant in civitates bona, non modo inter Christifideles manerent incorrupta, sed etiam inter gentes sive barbaris sive ex diversis orbis partibus illuc immigrantes, quamvis, origine, lingua, moribus, religione dissitas, inducerentur.—Ad hos salutares fructus assequendos maxime valuerunt, tum virorum apostolicorum delectus quos undique conquisitos in eas provincias mittere nunquam destiterunt, tum sedulae assidueque curae Sacrae Congregationis Christiano nomini propagando, cuius consiliis et ministeriis iidem perpetuo usi sunt, ut septentrionalis Americae spirituali utilitati consulerent.

Porro eadem Sacra Congregatio Decessoribus Nostreis operam navans, inter alia sui studii argumenta erga eam regionem, hoc etiam exhibuit, ut nempe admissis in Urbanianum Collegium eius regionis alumni, ex iis novos in dies Evangelii praecones in urbe totius christiani Orbis principe, in ipsis Pontificum oculis ad pietatem et scientiam pro Americae borealis gentibus {diligenti institutione informandos, opportune curaret. Illustris autem Americae gentis electa pars tot tantisque Summorum Pontificum dilectionis testimoniis ita respondit, ut quam de se expectationem, excitaverat, eidem luculenter re ipsa satisfecerit. Egregia enim semper argumenta praebuit sui studii erga catholicam religionem, ac filialis obedientiae devotaeque voluntatis erga Apostolicam Sedem. Eique firmis obsequii vinculis sese devinctam ostendit. Qua in re praecipuam commendationem sacri eius regionis Pastores sibi vindicant, quorum concordibus et assiduis laboribus brevi eores adductae fuere, ut amplissima Episcopali Hierarchia per memoratos status constituta, religiosi Ordines invectis, Catholica institutione diffusa, veluti novum Ecclesiae spirituale regnum in iis regionibus effloruerit.

Haec magna cum consolatione intuentes Romani Pontifices sui muneris, paternaeque suae erga illustrem illam partem dominici gregis benevolentiae esse duxerunt, ut maiora etiam in eius utilitatem peragenda curarent. Quapropter inclitus Decessor Noster fel. rec. Pius IX. nihil ad religionis incrementum utilius, ad Pontificiam munificentiam opportunius existimavit quam providere, ut quemadmodum plures ex aliis exteris nationibus, sic foederati Americae Septentrionalis status suam in Urbe domum altricem haberent in qua delecti iuvenes sacris studiis sacraque disciplina instituendi, ad exercendum deinde in patria sua uberi cum fructu sacerdotale ministerium exciperentur.—Quod feliciter mente conceperat illustris Decessor Noster, operam etiam dedit, ut omni sublata mora ad exitum perduceretur. Itaque Eius iussu a sacro Consilio Christiano nomini propagando coempta in urbe domus, quae Sacrarum Virginum a Visitatione Deiparae antea fuerat, Collegio alumnorum Septentrionalis Americae addicta, perpetuumque in usum attributa est; simulque anno 1858 die solemni Sanctae Dei Matris sideribus receptae ab eodem Sacro Consilio litterae datae, quibus eiusdem Collegii erectio pro foederatis Americae Septentrionalis statibus decernebatur. Collegium quidem ipsum felicibus auspiciis die 8 Decembris anno insequenti dedicatum est: sed tamen usque ad hanc diem illud supererat, ut documentum Apostolicum ederetur, quo ipsum ex more institutoque huius Apostolicae Sedis canonicae suae erectionis vim et dignitatem acciperet. Eius rei causa Venerabiles Fratres Americae Borealis Episcopi, qui superiore anno exeunte de gravibus religionis rebus acturi in hanc almam Urbem convenerunt, per Ven. Fratrem Archiepiscopum Baltimoreensem Nobis fervidas preces obtulere, ut quod nondum a

Collegio regionis suae constituo peractum fuerat, auctoritate curaue Nos itaque haud cunctandum rati, eorundemque Venerabilium Fratrum communibus votis obsecundare, clerumque et fideles Americanae regionis novo hoc amoris testimonio prosequi cupientes, decretum a memorato Sacro Consilio editum super constitutione Collegii Clericorum pro foederatis Americae Septentrionalis statibus, cum omnibus et singulis in illo contentis, Auctoritate Apostolica tenore praesentium confirmamus eique inviolabilis Apostolicae firmitatis robur adiciamus, ac praeterea ad maiorem Dei Gloriam, ad incrementum catholicae religionis, ad decus utilitatemque magnae Reipublice foederatorum Americae Septentrionalis statuum, eadem auctoritate tenore praesentium idem Collegium in hac alma Urbe, iuxta canonicas normas erigimus et constituimus, ac nomine et titulo Pontificio decoramus, eidemque omnia iura, praerogativas, privilegia huiusmodi Collegiorum propria attribuimus et elargimur, ad leges quae infra sequuntur.

I. Cardinalis Sacri Consilii Christiano nomini propagando Praefectus pro tempore existens, idem perpetuo Patronus Collegii esto: idemque ubi opportunum sibi visum fuerit, adiutorem sibi in eo munere gerendo diligendi et constituendi iure fruatur.

II. Administratio universa Collegii ab Archiepiscopis et Episcopis foederatorum Statuum Americae Septentrionalis, vel a Praesulibus ab ipsis ad id muneris legitime deputatis, geratur.

III. Archiepiscopi et Episcopi, quibus, ut supra Collegii administrationi concredita est, iidem, cum moderator Alumnis Collegii regendis renunciandus fuerit, tres sacerdotes, qui ad hoc munus obeundum idonei visi fuerint, Sacro Consilio Fidei propagandae proponant, uti ex iis Summus Pontifex audito Sacrae Congregationis consilio eligat, quem Collegii regimini Rectoris nomine et potestate praeficiat.

IV. Rector in omnibus quae ad Collegii regimen pertinent Emi Patroni ac Episcoporum Collegii Administratorum auctoritati obsequatur, eisque accuratam rei familiaris rationem sexto quolibet anni mense reddat.

V. Rector idem, ut munere suo expeditius et utilius perfungi queat, tum in iis quae oeconomica Collegii curationem, tum in iis quae Alumnorum disciplinam spectant, opportunis adiutoribus utatur.—Propterea ipsius erit, Emo Patrono approbante, idoneum sacerdotem vicarium suae potestatis adsciscere, nec non curatorem rei familiaris Collegii Emo Patrono et Episcopis administratoribus proponere, ac de ipsorum consensu constituere, qui in munere exercendo a Rectoris auctoritate nutuque pendere debebit.

VI. Rector omnibus praesit, non alumnis modo, sed et singulis maioribus ac minoribus Collegii administris.

VII. Nec inter alumnos admittatur quispiam, nisi aut ratione originis aut ratione domicilii vel quasi domicilii foederatorum Americae Statuum civis habeatur, et constitutis conditionibus satisfac-

ciat, ac ingenii morumque laude probatus firmam spem praebeat, sese in ecclesiasticis ministeriis esse perpetuo inserviturum.

VIII. In alumnis novis adsciscendis Collegii Rector cum Episcopis agat ad quorum Diocesim ipsi pertinent; tum de singulis qui excipiendi erunt ad Emum. Patronum referat, alumnosque item antequam Collegium ingrediantur, aut in patriam redeant, coram Emo. Patrono sistat.

IX. Alumni antequam ad sacros Ordines promoveantur iuramentum de more emittant, ut in Collegiis Pontificiis fieri solet.

X. Collegii Urbani fidei Propogandae scholas Americani Alumni studiorum causa celebrent, ibique ad gradus Academicos assequendos doctrinae experimenta edant. Quo vero in studiis suis proficere valeant uberius, sacerdos rerum theologicarum et philosophicarum scientia praestans apud ipsos commoretur, qui iisdem in susceptis praelectionibus explanandis et illustrandis adiumento erit.

XI. Quod autem ad spirituales Alumnorum curam attinet, Rectoris munus erit sacerdotem ad confessiones excipiendas ab Emo. Urbis Vicario approbatum, in pietatis magistrum et ordinarium Confessarium qui in Collegii aedibus degat, de Emi. Patroni assensu deligere; isque ita delectus Alumnorum animis ad virtutem et scientiam Sanctorum studiose ac prudenter provehendis operam navet.

XII. In Alumnorum disciplina regulae seu leges Collegii Urbani Fidei Propogandae opportune temperatae, ac peculiari-
bus Collegii rationibus accommodatae, accurate servantur.

Volumus denique ut hae Literae Nostrae firmae rataeque, uti sunt, ita in posterum permaneant; irritum autem et inane futurum decernimus si quid super his a quoquam contigerit attentari: contrariis quibuscumque non obstantibus.

Datum Romae sub annulo Piscatoris anno millesimo octingentesimo octuagesimo quarto die xxv Octobris, Pontificatus Nostri Anno Septimo.

F. CARD. CHISIUS.

NOTICES OF BOOKS.

Decreta Authentica S. Cong. Indulgentiis, Sacrisque Reliquiis Praepositae, ab Anno 1668 ad Annum 1882. Edita jussu et auctoritate SS. D. N. Leonis PP. XIII. Ratisbonae, Neo Eboraci et Cincinnati: typis Friderici Pustet, 1883.

Prefixed to this edition of the Decrees of the Sacred Congregation of Indulgences and Relics, is a decree of the Congregation itself, very clearly setting forth the grounds which justify the notable inscription on the title page—"Jussu et auctoritate SS. D. N. Leonis PP. XIII., edita." The numerous decisions issued in recent years by this important Congregation

had not as yet been published in authoritative form: it was deemed of importance that the want should be supplied: as the work was to be taken in hand at all, it was considered that the new collection of Decrees, thus to be issued, should be a complete one: and that this end should be attained, "quo autem hujusmodi collectio omnibus numeris absoluta evaderet," certain steps were taken, which are then minutely specified. By the express personal command of the Sovereign Pontiff himself, the numerous Decrees to be inserted in the collection were transcribed from the original documents preserved in the official archives. The execution of the work was entrusted to no less a personage than the Secretary of the Sacred Congregation. Finally, the collection of Decrees, thus authoritatively compiled, was specially approved by the Holy Father, who furthermore directed that a Decree embodying his approval should be drawn up, and prefixed to the edition—"auctoritate sua apostolica approbavit, et uti authenticam ab omnibus retinendam esse praecepit, deque his decretum exarari, atque huic editioni Ratisbonensi eusae typis Friderici Pustet praefigi jussit."

For the first time, then, since the institution of the Sacred Congregation of Indulgences by Pope Clement the Ninth, more than two hundred years ago, a collection of its Decrees, open to no question on the score either of inaccuracy or of incompleteness, is now placed within the reach of all. The Decrees are arranged in chronological order, consecutively numbered throughout, from the 1st, which was issued on the 10th of April, 1668, to the 453rd, the date of which is the 26th of November, 1880. Facility of reference is secured by the insertion of three valuable indices—in the first of these the Decrees are arranged in chronological order; in the second they are classified under the names of the dioceses, &c., in answer to questions from which they were issued; the third is a minutely detailed *Index rerum*, in which the various points decided in the Decrees are grouped under suitable headings, these in turn being alphabetically arranged. Of the excellence with which the mechanical portion of the work of printing and publishing has been executed, the imprint of Herr Pustet on the title page is a sufficient guarantee.

As a matter of course, this edition of the Decrees of the Sacred Congregation displaces all others. W. J. W.

Catholic Christianity and Modern Unbelief. By the Right Rev. J. D. RICARDS, Bishop of Retimo, and Vic. Ap. of the Eastern Vicariate of Cape Colony. New York, BENZIGER BROTHERS. 1884.

"In an age when young men prattle about protoplasm, and when young ladies in golden saloons unconsciously talk Atheism," a book like Dr. Ricards' is a welcome and opportune contribution to Catholic literature. The idea of writing it was

suggested to his Lordship by a friend of great experience and judgment, one who had seen a great deal of the world and of its ways. This friend told him "that a book which would treat in a popular way, the religious theories now so fashionable outside the Catholic Church, and contrast them with orthodox teaching would be welcome and useful to many." The Bishop's own experience led him to agree with and act upon the suggestion of his friend, and the result is the handsome and useful volume before us. It is not with the great apostles of scientific infidelity, like Darwin, Huxley, and Spencer, that Dr. Ricards is engaged, though his book contains a great deal that tells effectually against them. His warfare is rather with the small fry of modern unbelief, with men who do not, and perhaps cannot, think or reason deeply on the awful subjects which they discuss so glibly, so profanely—men who have picked up at second or third hand scattered fragments from the workshops of the great masters of spiritual ruin. Men of this class are easily met with, and those who travel much outside our own country are certain to meet many of them. They are the legitimate offspring of Protestantism; but the system which nursed them has lost its hold upon them, and cannot now complain if they follow out to its last logical consequence, the lesson taught them of thinking for themselves. Possessed of that dangerous commodity, "a little learning" (generally very little indeed) the presumption of such men is always in the inverse ratio of their knowledge, and much of the spiritual ruin of our time is directly traceable to their evil influence. A book which deals effectually, and in a popular way, with the theories which such men are propagating, cannot fail to be welcome and useful, and we believe that Dr. Ricards' book does so deal with them.

The great merit of the volume before us is that in stating Catholic doctrine, the author is always careful to distinguish the genuine article from that caricature of it which prejudice has painted and preserved. Experience has taught him, as it teaches every intelligent Catholic, that most of the objections urged against our doctrines are in reality grounded upon ignorance of these doctrines, and are directed against tenets which we repudiate; and he believes that when Catholic teaching is plainly stated, all this class of objects will vanish. Starting from the great central mystery of the Incarnation, Dr. Ricards develops the Catholic idea of the Church, its authority, its functions; he discusses briefly, but clearly and correctly the Sacramental principle, Grace, Predestination, Free-will, Justification, and Exclusive Salvation; and he is always careful to expose and to remove from these various doctrines the misunderstandings and misrepresentations to which they are generally subjected by non-Catholics.

In dealing with the objections of "Modern Unbelief," Dr. Ricards pledges himself to put them "plainly and forcibly," much more forcibly than they have been put to him, and he has loyally

kept this pledge. This is specially observable in chapter xvii., on "*Popular-isms*." The chapter on "Spiritism" is full of interesting facts and anecdotes. After allowing for a good deal of fraud, Dr. Ricards holds that "Spiritism" is mainly due to the direct influence of Satan. His reference to the "Evolution Theory" is brief and indefinite, too much so to enable us to see what precisely he holds with regard to it. The book is not, nor is it intended to be, a systematic controversial work. But it contains a great deal that will be most useful to all intelligent Catholics in discussing the difficulties which "Free-thought" is every day rendering more common. For this end the book deserves to be highly recommended. Fine writing or deep reasoning, the Bishop does not aim at, his object being to state his case in a plain matter-of-fact way, such as would bring his meaning home to readers of the most ordinary capacity. But while attaining this object, the book affords abundant proof that its learned and distinguished author can write and reason well.

J. M.

The Faith of Catholics. F. PUSTET & Co., New York and Cincinnati.

This is a reprint with sundry corrections and additions of a very learned and useful book, written in proof of the Apostolicity of the Faith of Catholics. The work was originally compiled by Fathers Barrington and Kirk in the early part of the century; it was reprinted after much careful and laborious revision by Father Waterworth; and it is now published for the third time, the editor being the Right Rev. Monsignor Capel, who also writes a preface for the new issue of this much-esteemed work.

The object of the work is to establish the Apostolicity of Catholic doctrine, to show that though particular dogmas, owing to special circumstances, have from time to time received more marked attention and fuller development, the truths of faith are the same now that were taught and believed in the first five centuries of the Christian Church.

Nothing can be more simple than the plan of the work. The authors take up in order the great heads of Catholic Belief—such as, for instance, the Rule of Faith, the Church, Justification, the Sacraments, and so forth. The Catholic tenets comprised under each heading are expressed in a number of Propositions, worded in clear and precise language. Each chapter or section of the book opens with one of the Propositions, and then follow such quotations from Scripture as support it with the clearest evidence, and to the Scripture texts succeed copious passages from the Fathers asserting the self-same doctrine. The compilers confine themselves to extracts from the Fathers of the first five centuries for the obvious and all-sufficient reason that no Christian will call in question the truth, and Apostolicity of a doctrine that was taught and believed by the Church of the first five centuries.

We need hardly say that to the intelligent layman who has not been led astray by the zealous advocates of modern unbelief, and who takes an interest in the study of revealed truth, as well as to the churchman, this is both an interesting and highly useful work. It is particularly satisfactory to have the assurance on trustworthy authority that the numerous quotations from the Greek and Latin Fathers have been made from the originals with much scholarly care. Fr. Waterworth tells us that he spent four years in preparing for his edition of the book, during which time he read the entire works of the Fathers and ecclesiastical writers of the first five centuries, and compared the extracted passages with the originals, making use of all the aids supplied by modern scholarship to secure the purest text and the most accurate rendering of it into English.

E. D.

Reasons why we should Believe in God, Love God, and Obey God
By PETER H. BURNETT. New York Catholic Publication Society, 1884.

Mr. Burnett is already favourably known to Catholic readers; but "*The Path which led a Protestant Lawyer to the Catholic Church*" is an easier way than the course by which the Author travels in the volume before us. In the former, traces of dead or dying heresies were the only impediments to be met with, and these were easily brushed aside. But here the way is infested by hydra-headed monsters, whose name is legion—those odious "isms," that go by the general name of modern unbelief. If, therefore, we fail to find in this volume all that its title would lead us to expect, the vastness, the difficulty of the subject will be an ample apology for the Author. The book is divided into four parts, the first part treats of the great question of questions—the existence of God—and in establishing this great fundamental truth, the Author confines himself exclusively to the argument from design. This argument he puts at considerable length, and with acuteness and ability. But his readers will regret that he has left untouched the other proofs for God's existence, and by omitting them has lost to his thesis that cumulative convincing force which those proofs lend to the argument from design. In saying this, we do not for a moment insinuate that the proof from design is not conclusive. We believe it is so, fully.

In the second part of the "Reasons," the Author treats of the Evolution Theory, as propounded by Mr. Darwin, and as Mr. Darwin's theory denies design and purpose in creation, we believe the Author's plan is, so far, logical. This theory he treats at considerable length, and though somewhat wanting in logical precision, the arguments adduced by him are amply sufficient to show how sandy is the foundation on which Darwin's extraordinary and extravagant system rests. He believes that the theory is "incompatible with a proper conception of the nature and action of

the Creator" (p. 79): that it is untrue "in itself" (p. 82); and yet he concedes that it "may not *positively* conflict with our religion" (p. 82). We believe firmly that the Darwinian theory "does conflict positively with our religion," and we say furthermore that, since the theory deals with a subject on which we have a Revelation, a view thereon that is "untrue in itself" must be also heretical.

The third and fourth parts deal with the Old and New Dispensations respectively. The Author discusses at considerable length the internal and external evidences of credibility for both dispensations, and in doing so, he gives proof of very extensive reading, and of much sound judgment in the arrangement of his materials. The book consists largely of extracts, but it is due to the Author to state that those extracts are taken from the very best authorities, are well selected and well arranged. The volume is beautifully got up, but its usefulness is marred a good deal by the want of a general index. If we fail to find in this book that rigid logic with which we should wish to see the sneering sceptic confronted, it must be admitted that it contains a great deal that intelligent Catholics will find useful and entertaining and edifying, and as such we can cordially recommend it. The following passage will convey a fair idea of the spirit in which the book was written:—"Whatever may be the nature and number of opposing theories, I am well assured that Christianity will be amply able to meet them all. In such a contest, from the very nature of the system itself, the Christian religion has no apologies to make—no compromise to offer, none to accept. I believe that the Catholic Church can neither die nor change, but that she will always firmly maintain the unchangeable faith once delivered to the Saints."—
(*Pref.* p. x.) J. M.

Lett's Chart of the Principal Forms of the Earth's Surface.

In the subject of Geography it is extremely difficult for a teacher to convey to his young pupil a correct idea of the different formations of land and water by mere definitions or descriptions. Cannot most of us recall how curious were our school-boy notions of an iceberg, or a glacier, or a water-shed, and many other objects in our geography task, which were perfectly familiar by name? How different would have been the result if we had good maps, or picture lessons to aid us in forming our conceptions of such things? To meet this want, felt alike by master and pupil, Messrs. Lett have published a chart, beautifully printed in oil-colours, in which are depicted the different formations as they appear in nature (over *sixty* in number), the correct name of each appearing in a key at foot. We can highly recommend this chart as a very useful and even necessary addition to the school-room.

THE IRISH ECCLESIASTICAL RECORD.

FEBRUARY, 1885.

RELIGIOUS INSPECTION OF SCHOOLS.

HAVING in a previous article been permitted to offer some remarks on religious instruction in colleges, convents and other places where the pupils are resident and entirely under the control of those who are engaged in their education, I propose in this paper to make some observations on the other division of pupils, who attend day schools, and who are, therefore, only during the hours of their attendance, and that with some restrictions, under the care and control of their teachers. What can be done to ensure for these a thorough and practical knowledge of their religion?

We must have religious inspection—we hear it said—as they have elsewhere. But what do we mean by religious inspection? For it may mean two things that are very different both in their working and in their effect.

Religious inspection may mean that the Bishop of the diocese, having the responsible care and oversight of the religious instruction of his flock, should select a man of judgment and experience in the management of schools, and the teaching of young children, to represent him in this matter, and should give him vicarial powers, as far as the schools are concerned, to visit them as he sees fit, and examine whether in each school the children are adequately instructed. This system of religious inspection to be effective would imply, I say, a power to visit schools at any time, as a Government Inspector in England may, at any time, pay a visit to any of the schools in his district, or as a Bank Inspector may at any time step in to one of the banks under his direction, and examine the actual

state of the books, and the way the work is being carried on. So in schools a knowledge is needed, not of what sort of an appearance can be put on under due notice for a holiday or an examination, but how the school is carried on as an institution—how the machine is doing its daily work—how the teachers and children go on upon working days and in working clothes. Yet, while in this way the Episcopal Inspector comes to know what is the real and actual condition of the school, it is not necessary, and it is surely most undesirable, that his visits to the school should be made in any spirit of hostility, or as a spy to pick holes, and discover faults, and catch teachers napping. This is to suppose that he has not the spirit of the part he is appointed to fill,—that of a fatherly and kind-hearted superior, who desires to encourage and appreciate good work, and not “to come down” even on that which is indifferent and unsuccessful, but to advise and assist in getting it done better. The Vicar’s work will not always be smooth and pleasant any more than is that of his master, yet it soon comes to be understood in what spirit a man is acting, and manipulation may be gentle even though it is strong.

We suppose that under this system the Episcopal Visitor might, in the first instance, have to pay a lengthened visit, or one repeated more than once, in order to be acquainted with the real character of the school and its work, and to avoid the risk of mistaking what was occasional or accidental for what was the normal condition of things. For he would have to take note of a good many points before he could safely draw his conclusions on the religious education of the children. What time is set apart for instruction in religion? Does it seem a well-selected time, when the children are sure to be all present and not over weary? Is it a sufficient time for what has to be done? and is it conscientiously adhered to? During this time is any definite course followed in the different classes, so that the subject is taught progressively, and according to the age and capacity of the children? or does the teacher give a general instruction to the whole school? Different systems may fairly be admitted according to the circumstances of the locality, but each teacher should have *some* system. What is it in this particular school? The Visitor might watch this system during the hour when it was in operation, and after listening to the teaching as it is ordinarily given, first in one class; then in another, he might next take

one after another of the classes himself, and examine a few individuals in each on what they had been professedly learning recently. If it was only to repeat the first prayers, yet the very way in which the child repeated the Our Father or Hail Mary—whether each one could repeat it, and that accurately and reverently and intelligently, would reveal a good deal. He could not fail to see whether the children were interested in the subject, attentive and respectful, and whether the knowledge ran through the class, or was chiefly confined to a few forward children. Here is an elder class, the children in it have made their Confession and first Communion. Do they know how often they should go, and what is the nature and preparation of the Sacrament? Perhaps questions on the Commandments will test better than anything else whether the children are carefully, intelligently instructed so as to know what in practical daily life is an offence against God and what is not.

Do any of the classes learn hymns, psalms, and selected passages of Scripture by heart? Is Scripture History a part of the course? Is the whole story read or only isolated historical facts? Can the children give an account of Scriptural events, and especially the miracles and parables of our Lord in their own language?

Then as to religious practices and matters of devotion, are there any? and what are they? Do they vary with the season or time of year? Are they enforced? or is anything left to the free will of the children? Are there any fixed rewards for proficiency in secular knowledge? any for religious? any for good conduct? What are they? Who gives them? Does any one assist in the religious instruction besides the teacher, or visit the school? and how often?

One other point, and not the least important, is the Episcopal Visitor's observations on the discipline of the school. For schools differ from one another in that some give religious instruction and teach the theory of a Christian life, but others teach its practice. In some there is a silent training going on under the daily routine of school life, inasmuch as the children *see* the teachers acting in conformity with the instructions they have given, and themselves setting the example of observing them, and they *feel* that they are expected to act, and are made to act in the way they are taught to do,—that those who do so are honoured, put forward and rewarded, and those who do not are

frowned upon and corrected. The children's feeling of this is expressed by saying that the teacher *means* what he or she says. Now, just as a physician will let the patient who comes to consult him talk on, while he meantime reads in his voice and look and manner indications of his true condition, so the skilled visitor of schools sees in the looks and ways and demeanour of teachers and children the system that is going on in the school and the character of the education given in it. If what he sees satisfies him that the school is a good one, in which the children are individually looked after and cared for, he will easily make allowance for the imperfections and occasional failures incidental to all human undertakings, and such a school will have no need of his interference, further than to assure himself that it is still maintaining its character, and to give its teachers and managers that recognition of their success which is always a cheering encouragement to those who are working with a will.

But if the school is *not* in a satisfactory condition, the Episcopal Visitor would, we suppose, not merely have power to report that it is so, but be in a position to require improvement. Confering with the teachers or managers of the school, and pointing out the nature of its deficiencies, may be sufficient in the first instance till he makes another visit and notes what has been done to improve things. Such a school will, for a time, require his more particular attention to ascertain whether his judgment of it is correct—whether the faults are capable of being mended, or whether the state of things is such that it must rather be ended. A strong man will not let tenderness to teachers or to his own feelings prevent him from securing at all costs that the children for whom the school exists should have the advantage of a good religious instruction and training. It must come to be seen that he will not let an indifferent school alone, so long as it is unsatisfactory as a place of Christian education for the children who are sent to it.

Such might be the sort of thing answering to one meaning of religious inspection. But, probably, this is not what most would understand by it, but rather something corresponding to what was set on foot by the Bishops in England nearly thirty years ago. For when the system of Government grants and Government inspection first began, the English Bishops, after much consideration, agreed that Catholic schools might accept a grant on certain conditions,

one of which, assented to by the Education Department, was, that the Government Inspectors should not, in the case of Catholic schools, examine the children in religious knowledge, but leave this to the care of the Bishops who undertook to see that it was attended to; and it was to secure this being done that they subsequently arranged a system of religious inspection, which began at once to take effect in some dioceses, and later on in all. The idea and plan of this system was, that just as the Government Inspector visited the school to ascertain the efficiency of secular instruction, and to determine the amount of the grant which it had earned, so the Bishop's Inspectors should in like manner visit the school and examine the children in religious knowledge, and apportion the reward to which its success entitled it. A course of religious instruction was appointed, suitable to the students in the Training Colleges, and to the pupil teachers or apprentices, as well as to the different classes of children in the school. A fixed allowance of time was to be set apart for the one subject as for the other. In short, the religious inspection was to run on all fours with the Government inspection.

Having been appointed to carry out this system from its first institution in one of the dioceses, and endeavoured to carry it out and make it efficient during a period of twenty-six years, I shall venture to put down what experience has forced on my conviction—first, as regards the most essential points to be attended to in it, and secondly, the difficulties that unavoidably accompany it, as if there is any thought of establishing a similar system in Ireland, it may be worth while to consider what is to be said about its working in England.

If, then, the religious instruction is to be carried on in the same manner as the secular instruction, and to compete with it, the first and most essential thing is to secure that a sufficient time should be allotted to it in the school-day, and that it should be a well-chosen time. In England it is a condition for obtaining any grant that each school attendance should be two hours long, and the time should be given uninterruptedly to subjects of secular instruction. Religious instruction must needs therefore come at the beginning or the end of the hours of attendance. If the school opened at the ordinary hour of 9 A.M. the work might begin with an hour of religious instruction. This was done in many schools, but it was not an hour at which the clergy could count on visiting the school to

examine or assist. Moreover, the children, especially those who live close at hand!—so it is—often come late, and so miss a part at least of the religious instruction and interrupt and distract by their entrance into the school, the instruction which the others are receiving. The school-door might indeed be locked against late comers, but many managers and teachers are averse to this. Suppose, then, the school begins with secular instruction, and the religious instruction is given at the end of the morning or afternoon attendance. This puts it to some disadvantage, inasmuch as the teacher and the children are more or less wearied; some, too, plead reasons for going home early, and all are apt to be fidgety and in a hurry to be off. Why should this disadvantage fall day after day on religious instruction? Some, then, lessen this difficulty by giving a short time of recreation, say a quarter of an hour, after the secular instruction, and then giving an hour, or at least three quarters, to religion, at eleven or half-past eleven; while others take this subject at the first opening of the school, but enforce punctual attendance by closing the doors against all who come late, and it is found that as soon as this rule becomes known and established, it has no effect in lessening the numbers in attendance. Those who mean to come take care to be in time, as those do who travel by railway train, and it teaches them habits of punctuality. While, however, the particular hour set aside for religious instruction will vary with the circumstances of different localities, the essential point to be attended to is that the hour so selected is one in which the subject can be as successfully taught to all the children, as reading or arithmetic (1) from their being necessarily present at it, and (2) from the time so allotted to the subject being fully and uniformly devoted to it, and not continually interfered with, under all sorts of pretexts of devotions, or feasts, or amusements, or preparations for coming examinations. A certain and adequate time, from half an hour to an hour should be *sacred* to religious instruction, seen and felt to be so by the children, and the teachers kept up to the mark in its observance.

After securing a definite and adequate time for religious instruction, the next preliminary is to provide that the best *books* for religious instruction should be used. The Catechism must of course be the basis of all; but for the instruction to be efficient it will be necessary to have reading books also on this subject, and this to assist the

teacher, who cannot give suitable oral instruction to more than one class at a time; nor can it be expected that teachers should in general be so well versed and skilful in giving religious instruction as to be able to dispense with the use of books. If the books are written in an easy style and enlivened with illustrations and examples, they help to make the subject interesting, in the same way that in the present day so many other subjects are made captivating to children's minds by the simple way in which they are treated. Then as regards Sacred History and the Gospels, I have never found anything so effective in giving life and interest to religious instruction as these. But it is so only when the story and narrative of them is read in full. If, instead of this, short summaries are used and the history is reduced to tables of chronology and lists of Judges and Kings, or of parables and miracles, it is but a repast of dry bones, from which the children may indeed be able to pass a shallow examination with success, but without getting in the process any nourishment for the soul. Nay, worse, when religion is taught by cram books and in preparation for a religious inspection, the children do not see that this is done only as means to an end. Their notion is that it is the end itself. Are they ever right? Well, plenty of good reading of religious books, and learning parts and passages of them by heart as well as prayers and hymns and the words of the Gospels, are great helps to getting these things well into their minds, so as to stick there. It will not do to leave teachers quite to themselves in this matter: they require to be directed and looked after. They are too apt to use books that will serve to get up subjects in the memory only, and do not see the mischievous consequences of Sacred History being learned in this way.

And this leads to a third caution that is necessary as to the teacher's *methods of instruction*. Simple, homely, practical instructions at a good mother's knee are in themselves the most heart-stirring and efficacious, but if these are not to be had or cannot be relied on, but instead of them we are to have a religious course of knowledge taught at school like other subjects, then we must at least see that it is taught with no less skill and efficiency than other subjects. For in these later years great progress has been made in the art of teaching. It is surprising and admirable how much more easy it is to learn than it used to be. Training Colleges and other modern institutions have made

a science of class teaching, and many teachers are now found who are masters of so much skill in explaining subjects, illustrating them, making them simple, easily intelligible and interesting, that things that before seemed dry and wearisome become in their hands pleasant and captivating. But if other subjects are thus pleasantly and skilfully taught, we must see that no less is done about religious teaching. We must not allow of its being under any disadvantage in this respect. If only it is treated properly, it is of its own nature capable of being far more interesting than other subjects, since it is one that explains our existence and is concerned with our daily life here, and sets before us prospects that intimately concern us hereafter.

To secure that the teachers shall be themselves thoroughly instructed in religion, and also skilled in the methods of teaching it we must look to the Training Colleges and the means taken by them for this purpose. But even when the teachers are well fitted for this work, yet it is necessary to give to them, as well as to the children, every possible encouragement and inducement to apply themselves to the subject; for it is outside of the subjects marked down in the Government programme and the secular inspection. The honour and glory and more substantial rewards that come from the Education Department are all given for success in secular subjects, and this, practically, makes a great impression on both teachers and children. They must need give up far more time to secular instruction. The examination has to be longer prepared for and looked forward to. More seems to depend on it. The bulk of the parents are more anxious for their children gaining distinction in it. Their prospects hang on it more or less. It is then quite necessary to attach as much importance and as many rewards as possible to success in religious instruction on the part of teachers and children, so that if there is to be a competition between the religious and secular examination, the race may be a fair one. The position and salaries of the teachers should not be allowed to depend on success in the secular examination only, nor should they be allowed to feel that success in religious teaching is subordinate to it. The children most honoured promoted, praised, and petted, should not be those who are most clever, without regard to their knowledge and practice of religion, and the rewards for good conduct and proficiency in religious knowledge should be such as not be the least, but the most highly coveted.

If then religious inspection means this, that the religious instruction is to be treated like other subjects, to be taught in the same way, but with an examination and rewards of its own, the least we can do is to take care *that it is in all respects taught as well, and treated with the same care and attention.* This was the idea with which it was established in the English dioceses. Let me, however, next make some remarks on the difficulties which have been felt in its working, and our experience of its success.

This is of course very different in different places according to the character and ability of those who have had time to carry it out, the sort of schools and children that had to be dealt with, which vary not a little, as do also the circumstances of different localities. Yet, on the whole, my own conviction is, that the success of the system can, at the best, be doubtfully asserted, and that the difficulties attending it are inherent and not accidental, nor such as are likely to diminish with time, but to increase and grow stronger. Certain it is that notwithstanding it has now been going on for a quarter of a century, yet the generation of Catholics that have grown up under it are not, according to the accounts that come in, "better than their fathers." For myself I always feel it to be a refreshing sensation when I have to deal with a "Grecian" fresh from Old Ireland. He may be less able to pass an inspector's examination, but one generally feels the touch of a Christian who has a lively, earnest faith and a very practical, though simple acquaintance, with the doctrines and precepts of religion.

The main difficulties in this system of religious inspection are twofold, of which the first is that, do what we may, we cannot under ordinary circumstances hold out so many inducements to exertion for the religious examination as the Government can for that in secular subjects. It has a command of means which we have not; it appeals to feelings and ideas that are strong in the world, giving promise not only of praise and *eclat* at the present, but of fitting oneself for life and being able to get on better in the world. Most people are worldly, and it is difficult and illogical to try to make them rise above worldly considerations by means of worldly considerations. Could the religious education of the children in our schools be undertaken entirely by the clergy, it might then be expected that they might inspire the children with adequate ideas of the importance and interest of this subject above

all others. But this is impossible. If the subject is to be taught thoroughly, skilfully, and completely, it must be done by those who are specially prepared for this work and can devote themselves to it. The daily work of religious instruction, hearing the repetition, explaining meanings of words, going through reading lessons of Sacred History, making them easy and intelligible—this must be done by the teachers, however their work may be afterwards examined into and supplemented, and perhaps corrected by the priest. But if the religious instruction which is to be examined into at the religious inspection, is to be the teachers' work, how are we to secure that the teachers themselves shall not be influenced by the greater urgency and importance that attaches to the secular than to the religious examination? Their getting into the Training College at all depends on success in the Government examination. Their obtaining their certificate or diploma is for this. The class they take, accompanied in some cases with prizes, is for this. When they take a school they have secured a position in the world as "Government teachers." The Government inspector visits and examines the school; his examination and report is with regard to secular subjects. Their character as teachers, the character of the school, in some cases the grants to it, their prospects of promotion or future provision depend on this. What has the religious inspector to set over against all this? Doubtless there are many conscientious and devoted teachers, who are not unmindful of their duty to God, and of the value of the souls which are entrusted to their care. But it is impossible, we are told, to serve two masters, and our teachers are drawn, many of them insensibly, into the notion, that as teachers—as Government teachers—the Government is their master, and so it comes about in a natural way that when they have two departments of work they attend most carefully to that of their master, and that which has besides the greatest present inducements and rewards.

In England there is another difficulty which, perhaps, might not arise in Ireland. It is this; that the responsibility of maintaining the schools falls on the managers; and the priest, although not the only manager, is the one on whom the burthen of the work mainly rests. The Government grant in aid of the school is so important an item in the year's income that even the manager is himself led away to look too keenly after this, and attend principally to that

portion of the work which will be examined into by the inspector who bears the money-bag. The excuse put forward for doing this is that, except by means of the Government grant, the school could not be kept going at all. The answer to this argument is, that this is *propter vitam perdere causas vivendi*. But we can without difficulty divine what must often come to be the state of things when the teachers, in addition to having their own temptations to contend against, have the authority and example of the manager in favour of making success in the secular examination the primary object of their solicitude. And the poor children attending the school—whereabouts are they, in this state of things? Well, their earliest impressions, never wholly obliterated, are, that arithmetic, geography and grammar are things that have to be got up for the Government examination, and the sacraments and commandments for the religious, but that everybody knows that the arithmetic, grammar, and geography are the most important and indispensable—‘why, you can see it.’

But, secondly, let us bear in mind another consideration. Supposing, what is not impossible under exceptionally favourable circumstances, that religious instruction is so well looked after, conscientiously attended to, and skilfully given, that the religious inspector can report that it is “excellent;” yet religious instruction is not religious education. Indeed, it is quite possible, not to say easy, for children to be well grounded in religious knowledge without its reaching their heart and affecting their life. For preparing the subject, in view of an examination, the children see it in that connection and not in relation to life and practice. What we want—especially if, as in England, the school is more or less to make up for the deficiencies of parents and the want of home training—is to teach the children the actual use and practice of religion in connection with the knowledge of it. This cannot always be easily done in school, but if it is not aimed at, and done as far as may be, and when occasion offers, and if their daily life is not illustrated and guided by the principles and doctrines of religion, there is more than a likelihood that the children will not even see the connection between religious knowledge and a good life. Mere instruction and telling people what they ought to do is not the same as training them to do it; nor will it do instead of that training. And—this is my point—giving the teacher and children another motive and object for

religious instruction beyond its being learned for its own sake—viz., learning it to satisfy the requirements of an annual examination has no tendency towards its being learned for its own use, but, on the contrary, has a tendency to take attention off that object and transfer it to the lower but the nearer object of passing the examination.

It may be well to explain that in thus setting forth the difficulties and objections of the religious inspection as carried on in England I seem to be condemning the course taken by the Ecclesiastical authorities in establishing it, and that such an expression of opinion comes strangely from one who was himself employed for so many years in carrying out this system.

I may say, in reply, that it was not for me to set up my own opinion in the matter, but to carry out that which was determined by those to whom it belonged to consider and judge what was best. Perhaps, notwithstanding those difficulties and objections it was the only thing that could be done, or the best under the circumstances. It was not for me to sit in judgment on the system but to strive, as I did, to carry it out honestly and efficiently. I only state here the difficulties that I have observed in it, and that for the consideration of those who may be interested in the question of religious inspection and its results in elementary schools.

One thing at least should be remembered when speaking of the action which the Ecclesiastical authorities in England took in this matter. They were legislating for a state of things which happily does not exist in the same way in Ireland. The children attending the schools in England are exposed to a very great extent to dangers to their faith and morality out of doors quite beyond anything to which they would ordinarily be liable in Ireland; and *in doors* they lacked the correcting and sustaining influence of good homes. No system that can be invented by man can improve on, or make up for, that which the providence of God has ordained in children being brought into the world so that they can each one be known and watched and trained by those who love them with a special love, and desire to bring them up in good and gentle ways. It was because this home influence could not be counted on that we in England have been making all sorts of efforts to supply its place by convent education and religious inspection. "My father and mother have for-

saken me, but the Lord taketh me up.”—*Ps.* 26. It was this. But in Ireland the children are not so forsaken, and the remedial measures called for in England are not, therefore, demanded. It is worth consideration which is the best policy—to do that which may tend to relieve parents of their duties and responsibilities as regards their children and teach them that others are undertaking these duties and will attend to them—or whether the old system, which is the keystone of Christian civilization and Christian character is still the best, to strain every nerve to preserve and maintain *good homes* as the best of all places of religious education.

J. G. WENHAM.

AMONG THE GRAVES.

A GOOD deal has been done within the last few years to rescue our ancient monuments from ruin and oblivion. The Board of Works, the public department to which they have been entrusted by the Irish Church Disestablishment Act, has been doing its part slowly indeed but surely. Of course there is the usual *vis inertiae* to be overcome before it is put in motion; then there is the red-tapism inseparable, it would seem, from official life; and lastly, the results are not always adequate to the expenditure. This last grievance may be fairly met, however, by the fact that the remoteness of the places where the works are carried on, not only involves much additional cost, but also precludes that diligence which the Wise Man tells us is brought about by the constant presence of the master. But on the whole the results are satisfactory, and Mr. Deane may be congratulated on the success of his labours hitherto.

And surely it was high time that a strenuous effort should be made to arrest the utter ruin that threatened our ancient buildings. A considerable number of our Round Towers have been swept away within the present century, so that not even a stone is left on a stone to tell us where they stood. It is only two years ago that the castle of Lycadoon, near Limerick, the birth place of the martyred Archbishop of Cashel, Dermot O'Hurley, fell to the ground. Petr'e deplored the loss, even within his own

memory, of many an ancient tombstone at Clonmacnoise. Thirty years ago O'Curry gathered round him the people of Aran, and besought them in their own sweet and touching tongue to save the remnant of the ancient treasures that adorned their holy island. That good man's heart was sad when he saw Dun Ænghus, the most ancient non-sepulchral stone monument of Europe, pulled down piecemeal, and Cahir-na-ban a shapeless heap of ruins. In that same island of Aran may be seen at this moment two large Irish crosses in no way inferior in graceful outline and beauty of ornament to the crosses of Kells and Durrow, the admiration of every one ever so little acquainted with art in our times. And yet they are lying on the ground side by side wholly uncared for!

Nearer home, have we not seen one-half of Dunbrody Abbey allowed to fall because of a petty pique? Carrick Castle, once a "plentiful mansion with sunlit gables and embroidery-covered walls," is now lone and desolate enough to gratify the destructive tastes of the famous Sultan Mahmoud. And the Grey Abbey of Kildare, the resting-place of some of the noblest and bravest of the Leinster Geraldines, has come to be an unsightly ruin under the very eyes of generations of "Ireland's only Dukes," and has been saved from utter destruction, and its graves from constant profanation, by the Poor-Law Guardians expending on it the money collected for the support of the poor. Let us hope that the time is coming when the history of their country will no longer be a closed book to our Irish youth. Then they will begin to look with pious reverence on the spots where their forefathers prayed and suffered, and they will visit the homes of the great men of their country in pious pilgrimage, as the Spaniard does the birth-place of St. Ignatius, or with that patriotic feeling which the Scotchman displays to the home of Wallace and of Scott.

There is one class of our antiquities which the Board of Works seems to feel little concern about. And indeed it is not easy to see how to save them from decay more or less rapid. The "imber edax," the corroding rain of our climate, is a sure solvent of stone and brass alike exposed to its wasting influence. Miss Stokes has given to very many of the earlier inscriptions in the Irish tongue that immortality which a good book gives to the subject of which it treats. Unhappily, owing to the devastations of this country by the Daues for four centuries, and to the

constantly recurring burnings of the churches and the slaughter of the clergy by these fierce marauders, not merely along the sea-coast but even in the very heart of the country, in Roscrea and Lorrha as well as Kildare and Glendalough, few, if any, monuments of that time are in existence. During the short interval of peace that elapsed between the defeat of the Danish power at Clontarf and the coming of the English, the revival of religious life was almost as wonderful in its effects as the preaching of St. Patrick. We will mention but one fact in proof of that assertion. Within the last thirty years of this period nearly twenty Cistercian monasteries were erected throughout the country, not merely in one territory or under the sway of one prince, but in every part of it: at Mellifont, the Fountain of Honey, in Louth, and at Corcomroe, the Fertile Rock, in Thomond, at Boyle, in Connaught, and at Holy Cross, in the richest part of Munster. But maraudings and burnings, as fierce and relentless as those of the Danes, and wars as unceasing as theirs but conducted with more skill, followed quick on this peaceful time, and have continued, with few and short exceptions, almost to our own time. Many still living have seen the tithe war, and it needs no long memory to go back to the time when the parson claimed payment from the Catholics who wished to bury their dead in the tombs of their forefathers, and refused to allow a cross to be erected over a Catholic grave.

My purpose is to put in print, and in this way to save, perhaps, from destruction, some of the inscriptions found on the tombs of the 15th, 16th, and 17th centuries. Most of them, owing to the language in which they are written, and still more to the style of lettering, and to the almost universal system of abbreviation, are unknown and consequently uncared for. Yet, I trust that a perusal of some of them will interest not only the antiquarian but the general reader. I will begin with the tombs in the church of

I.—RATHMORE.

This church is about two miles north-east of Athboy, itself a place of considerable importance, as being one of the last strong places on the western border of the Pale for the defence of the English settlers. On the way we pass by the Hill of Ward, known in Irish history by the name of *Tlachtgha*, and celebrated in ancient times for the Druidic

fires lighted there on the first of November, and later for the games and sports instituted there by King Tuathal. Here, too, as we learn from the Annals of the Four Masters, under the date 1173, "Tiernan O'Rourke, Lord of Brefny and Conmaine, a man of great power for a long time, was treacherously slain by Hugo De Lacy and Donnell O'Rourke. He was beheaded by them, and his head and body carried ignominiously to Dublin. The head was placed over the gate of the fortress as a spectacle of intense pity to the Irish, and the body was gibbeted with the feet upwards at the northern side of Dublin."

In the low ground at the foot of the hill is the old church of Rathmore. Its size is considerable, fully 80 feet in length by nearly 30 in breadth. The walls and bell-tower are still standing. The beautiful east window has its original tracery nearly complete; few windows in Ireland are equal to it in the tasteful proportion of its parts and the exquisite details of its tracery.

There is a stone lying flat on the ground almost opposite the northern door by which we enter. Formerly it lay close to the east window. Some years since it was moved to its present position. It bears the following inscription. The end of each line is marked with a star:—

**Hic jacet Alexander Plunket de Rathmore miles quondam*
cancellarius hibernie cum domina anna Marward
uxore sua qui obiit X^o. die Mensis augusti anno domini
MCCCCCH* et dicta anna obiit . undò die
Mensis Aprilis anno domini MCCCCC*XXV.
quorum animabus propicietur deus amen. Misere
nostri domine miserere nostri fiat misericordia tua
domine super nos quemadmodum sperabimus in te.**

[Here lies Alexander Plunket of Rathmore, Knight, formerly Chancellor of Ireland, with the lady Anne Marward, his wife; who died on the 10th day of the month of August, in the year of our Lord 1503, and the said Anne died on the second day of the month of April, in the year of our Lord 1525. On whose souls may the Lord have mercy. Have mercy on us, O Lord, have mercy on us. Let thy mercy, O Lord, be upon us, as we have hoped in thee.]

The Plunkets, like some of the Galway "tribes," seem to have come to Ireland before the English invasion.

They are very probably of the stock known by the name of Fingallians, or the "white strangers," to distinguish them from the Danes or Dubh-Galls, *i.e.*, "black strangers;" and from them the eastern coast between Dublin and Drogheda, where they settled, has been styled Fingal. They would seem to have thrown in their lot with the English, and to have made common cause with them against the Irish enemy. And true to their family tradition, they have been, with very few exceptions, constant adherents of the English interest in Ireland. Hence we find them at all times employed in positions of importance and trust. In 1358, Richard Plunket was appointed by Lionel, Duke of Clarence, one of his attorneys-general for the provinces of Connaught and Ulster, "to do and answer in all things for him in Ireland." Indeed some of the highest legal offices were so often held by members of this family as to be almost heir-looms. Yet their zeal did not always come up to the requirements of their masters. Thus the Lord Deputy Gray writes to Cromwell in 1537:—

"There be in the marches of Meath three lords of one nation called the Plunkets, that is to say, the Lord of Dunsany, the Lord of Killeen, and the Lord of Rathmore. They be neither men of wisdom to give counsel, nor yet men of activity; and having the same possessions that their fathers had, they keep in manner no men for the defence of the marches, but suffer the same to be oppressed, overrun, and wasted by Irishmen, whereby the king's profits and strength are daily diminished there."

During centuries of sore trial and suffering, they held fast to the ancient faith: and if some few have fallen away, the glory of the name has been well upheld by Oliver Plunket, who died a martyr at Tyburn.

De Verdon, one of De Lacy's barons, who became possessed of the Lordship of Brefny, the O'Reillys' country, left four daughters. In the division of his lands among them as co-heiresses, Margery, the third daughter, had Brefny for her portion. By her marriage with one of the Cruise family, Rathmore descended to Sir John Cruise. His grand-daughter and heiress, Marian, married Sir Thomas Plunket, third son of the first Lord Killeen, who in her right became possessed of Rathmore, Girly, Kilshir, and Kilsaughlan. He and his descendants were in consequence styled Lords of Rathmore.

Their son was Alexander Plunket, mentioned in the

above inscription. Ware says "he was a person of great account." He was appointed to the office of chancellor in September, 1492, through the influence, it was said, of his friend the Earl of Kildare. He held that high position for only two years. He was a knight, not only by direct creation, but also by reason of the lordship which he owned. Ancient English knights, Newton tells us, in his "*Display of Heraldry*"—and the same applies to those who lived within the Pale in Ireland—held lands under tenure called knights' fees. Matthew Carter, in his "*Analysis of Honour*," says, tenants by knight's service were called milites or chevaliers, because their service was military or performed on horseback. Bracton makes mention of Rad-enights, *i.e.*, serving-men who had their lands on this condition, that they should serve their lords on horseback. Those were first called knights who received any lands or inheritance in fee by this tenure, to serve in the war; for those lands were called knight's fees, and they received those lands or manors with this condition, to serve in the wars, and to yield fealty and homage: whence others who served simply for pay, were called "*Solidarii*." The creation of these knights was attended with ceremonies both of a military and religious character, and there is reason to believe that the lands so held were hereditary, subject to military service, and that every successive possessor might claim the honours of knighthood in virtue of his holding such lands in fee. Sir Alexander was one of "the fraternity of arms," later styled "*the Brotherhood of St. George*," which consisted of thirteen persons of the most honourable and faithfully disposed in the counties of Kildare, Dublin, Meath, and Louth. They assembled yearly in Dublin on St. George's day, the better to express their zeal for the English government. One was then chosen to be captain for the next year.

His wife was Anne, the daughter of Marward, Baron of Skryne. Campion calls him a baronet. He was not a Parliamentary baron, but only a baron palatine, created, not by the sovereign, but by the Lord Palatine. These, Sir John Davis says, made barons and knights, and appointed their own sheriffs, judges, and coroners; so that the king's writ did not run in these counties, but only in the church lands lying within the same. Such were, according to Ware, Marward, Baron of Skryne, Hussey of Galtrim, Petit of Mullingar, Nagle of Navan, Fitzgerald of Burntchurch, and Grace of Courtown.

In the north-eastern corner of the church there is another stone lying on the ground, which bears the following inscription:—

Hic jacet Christoforus *
Plunket de Rathmore Miles cum domina Katharina
Preston uxore sua *
qui obiit V°. die Mensis Marci *
anno domini M°. D°. XXXI°. et dicta Katharina obiit
die mensis Anno domini MDCCECCE quorum
animabus Deus propicietur.

[Here lies Christopher Plunket of Rathmore, Knight, with the Lady Catherine Preston, his wife, who died on the 5th day of March, in the year of our Lord 1531; and the said Catherine died day of the month of in the year of our Lord 15 . On whose souls may God have mercy.]

This Christopher was the son of Sir Alexander Plunket and Anne Marward mentioned above. Catherine Preston, his wife, was the daughter of Robert, first Earl of Gormanston. They left no issue. A floriated cross of four points runs along the middle of the stone, and at its foot are two shields, the first bearing the arms of Plunket, diamond, a bend, in the sinister chief a castle pearl, empaling those of Preston, ermine, on a chief sable three crescents; the second, the arms of Preston empaling those of Molyneux, sapphire, a cross moline topaz, to show her descent by the mother side from Sir Richard Molyneux of Sefton, who was knighted by Henry V., after the battle of Agincourt. The upper part of the stone has the arms of the passion in relief on it, the nails, scourge, &c. The emblems of the Evangelists placed one at each corner of the stone, betoken that those who are now lying beneath believed during life, and at their death put their trust in, the saving Gospel of Christ. The spaces left blank for the day, month, and year, show that the wife survived her husband, and that this stone was put in its place during her life-time. Her friends who survived her neglected the pious duty of inserting the date of her decease.

Over the stone bearing the name of Alexander Plunket, but somewhat nearer to the east, there is another fixed in the south wall, at a height of five feet from the ground,

bearing incised, not raised as on the other stones, the following inscription :—

**Orate pro animabus Christophori Plunket de Rathmore
militis et Katharine *
Preston uxoris eius qui crucem lapideam infra villam
istam antecœmite *
rium construi fecerunt et porticum istum et omnibus ante
crucem prædictam *
dicentibus pater noster et ave maria pro animabus dictorum
Christophori et Katharine *
et parentum suorum concessum est Ducenti dies
indulgentie *
per V Episcopos in concilio provinciali toties quoties
perpetuis temporibus *
duraturis anno Domini MCCCCCXX.**

[Pray for the souls of Christopher Plunket of Rathmore, Knight, and Catherine Preston, his wife, who caused the stone cross below this town in front of the cemetery and this porch to be built; and to all who say before the aforesaid cross a "Pater Noster" and an "Ave Maria," for the souls of the said Christopher and Catherine, and of their parents, two hundred days of indulgence have been granted by the five Bishops in the Provincial Council, as often as they are said, to last for ever, in the year of our Lord 1519.]

Clearly this stone has been moved to its present position from some other place; there is no porch near it now. The inscription goes to show that Rathmore was formerly a small town or village, for such is the meaning of *villa* very often in mediæval latinity. And as a fact, we find in Gale's "Inquiry into Ancient Corporate Towns," that Maurice Fitzgerald granted a charter to his burgesses of Rathmore in the year 1232. Moreover, the foundations of the buildings still seen round the church are far more numerous than would be required for the residence of the clergy attached to it.

All knowledge of the existence and site of the cross mentioned in this inscription had died out. Yet a vague tradition, connected in some way with the notion of the indulgence, survived, and owing to it, the faithful coming to the church on the occasion of funerals, said an "Our Father" and a "Hail Mary" kneeling before the stone.

Some years ago it occurred to me, when visiting the place and seeing this inscription, to make a search for the cross. I had not the good fortune to find it, but in a small mound overgrown with moss and grass I found its socket. It bears the following inscription in incised letters of the same shape as those on the stone, but a little larger. The lettering begins on the northern face, and goes to the western, and so on, in double lines on each face; each pair is given here in one line. The whole of the first short line is broken off:—

. . . . Rathmore mi-
litis et Katharine Preston uxoris eius
et parentum et antecessorum suorum qui hanc crucem
fieri fecerunt A.D. MCCCCCXIX.

[*Pray for the souls of Alexander Plunket of Rathmore, Knight, and Catherine Preston, his wife, and their parents and predecessors, who caused this cross to be made in the year of our Lord 1519.*]

A careful search would probably find the cross too. We know that many pious objects were concealed in times of persecution in order to save them from the fury of the Protestants.

There is another tomb, of the altar shape, at the south-east end of the church, older than any we have yet spoken of. A knight in armour lies on it, one of the Plunkets, as the inscription shows. Only one-half of the monument remains, and the lettering of that is so worn away that it is not possible to decipher the inscription.

Rathmore is no longer the property of the Plunkets. Many of the name took a prominent part in the war of 1641 on the Irish side against the Puritan party. Nicholas Plunket was one of the Council of the Confederate Catholics. Even that would be enough to exclude any of the family from employing the plea of "constant good affection," and to bring on them, one and all, confiscation of their property and transplantation to Connaught. It now belongs to Lord Darnley. The founder of this family, Lodge tells, was a dry-salter, who came to Ireland as an agent of the Adventurers during the war. Later he became an Adventurer himself, having subscribed £600 to a joint stock, in which two others were concerned. In casting lots the baronies of Lune and Moghergallen fell to him, on property chiefly belonging to the Gormanston family. He seated himself at Rathmore, and was for a time Member

of Parliament for Athboy. He had also several commissions under the Government. His son erected the principal estates in the neighbourhood into a manor, and obtained a grant from King William, empowering him to hold 500 acres in demesne and to empale 500 acres for deer. John, the founder's grandson was made Baron Clifton of Rathmore in 1722, Viscount Darnley of Athboy in 1723, and Earl of Darnley in 1725. His descendant is owner of Rathmore and the rest of the property belonging to that branch of the Plunket family.

D. MURPHY.

PHILOSOPHY FOR CATHOLIC STUDENTS IN THE ROYAL UNIVERSITY.

DR. KAVANAGH'S interesting pamphlet¹ reveals the undoubtedly disheartening fact that a difference of opinion, wide in extent, and, it may be, disastrous in its consequences, exists among those members of the Royal University Senate who share between them the heavy responsibility of guarding the interests of the Catholic students of the University.

The difference, it would seem, regards the nature of the plan to be recommended to the Senate for the removal of the grounds of the dissatisfaction at present so loudly expressed upon the Catholic side, as to the manner in which the Examinations in Philosophy are conducted. The Royal University is, in the main, an examining University. Its Examination Papers must powerfully, and to the practical exclusion of almost every other influence, direct the current of philosophical teaching in every College the students of which are preparing for its Examinations in Philosophy. How far from satisfactory is this controlling influence of the University as at present in operation, has been exhaustively shown in the analysis of one of its recent Examination Papers, published in the last November number

¹ The Study of Mental Philosophy by Catholic Students in the Royal University of Ireland. By the Very Rev. James B. Kavanagh, D.D., P.P., Kildare; Senator of the Royal University of Ireland. Dublin: BROWNE & NOLAN, 1885.

of the RECORD.¹ Simultaneously with the publication of that analysis, there was also published in these pages a Resolution of the Bishops of Ireland, adopted by their Lordships at their last general meeting, in which they pass a severe sentence of condemnation upon the Paper set by the University examiners in the subject in question. In that Resolution, after reprobating the questions set, as "practically necessitating the reading of anti-Christian works, most dangerous to Catholic faith," the Bishops requested the members of their body who are specially charged with the duty of looking after the interests of Catholics in education—the Episcopal Education Committee—to meet as soon as possible, to take steps for the protection in future of the Catholic students of the University from the dangers to which, as revealed by the recent examinations in Metaphysics, they are at present exposed.² We can well understand the effect produced in the Councils of the University by this momentous act of the assembled Episcopacy of Ireland. "Dangerous to faith" is a phrase of ominous import in the history of the Irish University Question.

Whether any such steps as were indicated in the Resolution of the Bishops have as yet been taken, in no way appears from Dr. Kavanagh's pamphlet. But it does appear that some members of the Senate of the Royal University—and it is manifest that they are some of the Catholic members of that body—have felt called upon to take action for themselves. It is in reference to the action thus taken, that the divergence of view the existence of which is disclosed to us by Dr. Kavanagh's pamphlet appears to have arisen.

"At the last meeting of the Senate," he tells us in his opening sentence, "there was presented for discussion a Notice of Motion regarding the Honours Paper in Metaphysics set at the last University Examination . . . The discussion was somewhat abruptly closed, and the matter referred to the Standing Committee for its meeting in January." The publication of a pamphlet, then, was selected by Dr. Kavanagh as an advisable method of putting forward his views on a question in which, "as a Catholic Priest and a Senator," he is "most deeply

¹ See I. E. RECORD (Third Series), Vol. v., n. 11, (November, 1884), pages 707-720.

² See I. E. RECORD, *ibid.*, page 745.

interested," "affecting as it does, on the one hand, the harmonious working of the Royal University," and affecting, on the other, what Dr. Kavanagh, in common with the majority of his Catholic colleagues on the Senate, regards as "of incomparably greater moment," "the interests of our Catholic Schools of Philosophy, and of our whole Catholic higher education."

The precise terms of the Notice of Motion to which Dr. Kavanagh refers are not set forth in his pamphlet. But from the general drift of his argument it is easy to infer that, whether in terms or by the explanation given of it by its proposer, it points to the introduction, in some most objectionable form, of a system of "alternate," or—if we may take the liberty of substituting another adjective which would seem more clearly to indicate the nature of the proposal—"alternative," Examination papers in Philosophy.

It is right to mention that Dr. Kavanagh in no way indicates that he entertains any objection to the "alternative" system of Examination considered in the abstract, or indeed to that system as put into operation in any other form than that most objectional form in which, as he explains the case, it has now been brought before the consideration of the Senate. Even by those who are far from having his most extensive, and at the same time most minutely detailed knowledge of the philosophical systems whether of ancient or of modern days, it cannot, indeed, for a moment be supposed that Dr. Kavanagh is himself in absolute opposition to the Examinations of the Royal University being conducted, in some degree or other, on the "alternative" system. He has in view, as he informs his readers, and as, no doubt, some of them will learn with regret, the "harmonious working of the Royal University." But it must be manifest even to the most superficial observer, that without the recognition of the "alternative" system, in some shape or form, in its examinations in Philosophy, the Royal University, so far from working harmoniously, cannot work at all. No University examiner, especially in an Examination for Honors, can be regarded as really discharging his duty unless his questions are such as to test, on the one hand, as regards non-Catholic students, the accuracy of their knowledge and the extent of the grasp they have acquired, not merely of the broader outlines, but also of the minute details of the system

in which they have been trained, and are, on the other hand, as regards Catholic students, such as will be equally efficient in testing the results of the training which they have received on Catholic lines. From neither class of students can an examiner reasonably demand such an acquaintance with the more minute details of the opposing system, as he is bound to demand from each in reference to the system in which they claim to have been thoroughly instructed as their own. Thus, then, an examination in which an absolutely identical set of questions would be set for both classes of students would be manifestly inefficient. So far as it might succeed in keeping clear of an unreasonable demand upon the resources of one class, it should of necessity fail in that thoroughness of test, which is its first requisite as applied to both.

Dr. Kavanagh, however, abstains from giving any very clear indication of his view as to that which is, after all, the great practical difficulty to be faced in this matter. That difficulty lies in finding a practical answer to the question, How can a working system of University examinations in Philosophy be constructed, which will, on the one hand, efficiently test the results of the philosophical training of all students who present themselves for examination, and will, on the other, keep clear of that which is so manifestly indefensible in the present system, the decided advantage it affords to students trained on non-Catholic lines? He contents himself with combatting the proposal which is actually before the Senate. He deals with that proposal, as of course he is fully justified in dealing with it, only in the precise form in which it has been brought forward. And dealing with it thus, he has an easy victory. No such proposal, we venture to predict, will again be heard of in the Councils of the University. Indeed, so far as we can do so without calling in question either Dr. Kavanagh's competence to grasp the true bearings of the plan that has been proposed, or the earnestness of his desire most fairly to place them before his readers, we cannot refrain from expressing with equal earnestness a hope that, in this instance, his characteristic accuracy of perception, or his no less characteristic power of expression, may prove to have been, for once, at fault. For, of this proposal, as first described, and then demolished in his pamphlet, it is no exaggeration to say that anything more ridiculous, more unworthy

of even a moment's consideration by the members of a learned body such as the Senate of the Royal University, more thoroughly discreditable to those Catholic Colleges for the protection of whose interests in the University the adoption of such a system could have been regarded as necessary or useful, it would be impossible to conceive.

In justification of the view thus taken of the proposal in question, it will suffice to transcribe from Dr. Kavanagh's pamphlet a few of the phrases in which he lucidly sets forth its nature and results. This indirect mode of dealing with it, is, unfortunately, the only one available. For, as we have already observed; Dr. Kavanagh, for some, no doubt sufficient, reason, abstains from presenting the proposal in the terms in which it is set forth in the Notice of Motion before the Senate. But from his description of it we may infer that it is a proposal to require the Examiners of the University to set, in future Examinations, a special alternative paper for Catholic students; this alternative paper being in all respects, that is to say, in substance, in form, and even in language and expression, of identically the same character, and in every way confined within the same limits, as a paper which would have been set by an examiner of one of the medieval universities before the close of the thirteenth century!

For, as he tells us, the proposal in question would confine the teaching of philosophy in Catholic Colleges "exclusively to scholastic philosophy in its ancient forms" as it existed "*in the days of St. Thomas!*" And so, consistently, at all events, it would altogether "*ignore the living present,*" and direct Catholic teaching in Philosophy "*exclusively to the dead past.*" In the refutation of errors, it would teach our students to refute only those errors which have been "*unheard of for centuries,* except in scholastic disputations," and "ignore" those "*errores grassantes*" of which the Holy Father speaks in his magnificent Encyclical on the restoration of Catholic Philosophy, errors, of which Dr. Kavanagh says, with unfortunately unquestionable truth, that they are "*in active operation around us,*" "*eating into the very vitals of Christian faith and of Christian moral teaching.*"

It would even seem—but on this point Dr. Kavanagh expresses himself with a certain amount of diffidence—that under the system which has so strangely been proposed for the adoption of the Senate, Catholic students would not even be required to "*understand*" any of the

modern Philosophical systems, or even to know the very "meaning of the terms" in which the errors of the day are expressed! Instead of making scholastic Philosophy what the Holy Father in his Encyclical insists upon its becoming, a living reality, the antagonist of existing errors, and potent for present good, it would deal with that Philosophy "*exclusively in its ancient forms, as it existed in the days of St. Thomas.*" And, if possible still more strangely, while in equally direct opposition to the injunction so strongly conveyed in the same Encyclical as to the advantages to be derived, even in philosophical studies, from a careful study of the physical world and its laws, it would obstinately shut out of view all the marvellous progress of physical science in modern times. For, as Dr. Kavanagh assures us, the advocates of the system which he so vigorously combats, even go so far as to say "that all modern discoveries in *physical sciences* should be disregarded!"

It is surely unnecessary to enter upon any discussion upon the merits of a scheme so manifestly extravagant as that which is here depicted. And if Dr. Kavanagh's pamphlet had been written merely in refutation of this preposterous proposal, one could not help regarding it as matter for regret that so able and so eloquent a writer should have wasted his energies upon so manifestly superfluous a task. Once more we venture to express a hope that his conception of the nature of the proposal he so vigorously combats may prove to have been a mistaken one; and that even those among his colleagues in the Senate whom he regards as advocating the adoption of this retrograde step may on the contrary be found to be in practical agreement with him, at least in the general scope of his view, as to the necessity of aiming rather at a thorough-going reform of all that is at present defective in the study of Philosophy in our Irish Colleges. This, indeed, we regard as the point on which he mainly insists throughout the pamphlet.

"Ignorance," as Dr. Kavanagh reminds his readers, "is the very feeblest of breakwaters." No educated Catholic can mix in society without peril to his faith, if he is allowed to pass through his University career in ignorance of the modern developments of what it is now the fashion to call "Mental" Philosophy, which are discussed at every dinner-table. The man who hears the modern philosophic errors for the first time in society is surely exposed to much greater peril than the educated

Catholic who is familiar with them and has heard them explained and refuted by his professor during his academic career.¹ Above all, as regards ecclesiastics, how can a Catholic Priest give reason for the hope that is in him if a layman submit to him an article in the *Nineteenth Century* or the *Contemporary Review*, and ask him to explain and refute the Philosophical errors it advances, if the Priest has heard of the error for the first time, and is in utter ignorance of the whole subject, or if, even though perfectly familiar with the true answer, he cannot apply this knowledge, because his training has been so limited that he knows nothing of the Philosophical language in which it is written?

Here, in Dr. Kavanagh's own words, we have an indication of the object which he seems mainly to have in view. As he elsewhere tells us, "the real question is, what shall be the standard and the character of philosophical teaching in the Schools and Colleges of Ireland? . . . Shall it receive *the development which it has received at Rome*, and which the Holy Father so strongly recommends? This is *the real question at issue*." Whether this object, so far as it depends upon the influence of the Royal University Examinations, is to be attained by "alternative" papers, or, in some hitherto unexplained way, by a "common" paper covering with even-handed impartiality the whole

¹ Exacting critics, without incurring any serious risk of being set down as at all over-captious, might perhaps object that Dr. Kavanagh seems to lay a little too much stress upon the refutation of errors.

But we do not understand him in any way to imply that in the scientific aspect of the matter, the refutation of error is to be regarded as an object of fundamental importance in the same sense as is the establishment of truth. Philosophy would of course exist in all its integrity even if no philosophical error had ever been dreamt of, just as the Christian faith existed in all its integrity before the uprising of the first heresy. We assume, as a matter of course, that Dr. Kavanagh, in laying so much stress upon the necessity that exists for our being in a position to refute the errors of the day, means merely this, that in the teaching of philosophical truth, the method pursued should, as far as possible, be such as would present that truth in a form practically available for the assertion and maintenance of it, against all comers.

But here two important questions suggest themselves for consideration, which, however, the space at our disposal will not permit of our considering:—How far is it possible thus satisfactorily to deal with the whole vast range of Catholic Philosophy within the necessarily restricted time that can be devoted to its study in an ordinary College, or even University, course? And secondly, so far as it may be found possible in any degree to attain so desirable a result, may it not involve the consequence of making it practically impossible for Catholic

field of philosophical truth and philosophical error, is, he assures us, "indifferent" to him. This, then, being so, we must again express our incredulity as to there being any such "question at issue" as he supposes to exist. For it seems to us impossible to conceive that there can be found, whether in the Senate or out of it, even one Catholic, who is sufficiently educated to have read with intelligence the marvellously beautiful Encyclical of the Holy Father on this subject, and who is not thoroughly in accord with all that Dr. Kavanagh has thus set forth.

The task of the reviewer would thus have been a singularly pleasant one, if Dr. Kavanagh had not strangely mixed up with his eloquent plea for the advancement of our Philosophical studies in Ireland, and for the adoption of some practical means to bring about this important result, an elaborate defence of the questions set at the recent University Examinations in Metaphysics. On this point we must distinctly join issue with him, and on more grounds than one.

"Whether a particular paper may give an advantage to Catholic or non-Catholic students," is, he somewhat loftily tells us, a question "so insignificant that it scarcely merits reference in this important controversy!" This may be a very magnificent sentiment. But it is not practical. And we cannot even accept it as true. Does it, we may ask, or does it not, "merit reference" that, as the direct result of the sadly defective system of Examination thus far persistently upheld by the University, and, as it would seem from Dr. Kavanagh's

students to enter into competition in this subject at the Royal University examinations with the students of non-Catholic colleges, those students being enabled, from their want of anything like a complete system of Philosophy, to devote all their attention and all their energies to the study of those detached sections of Philosophy of which the Royal University Programme in this subject is composed.

The more closely the question is looked into, the more clearly it will be seen that what is really wanted, and the only thing that will make the Royal University Examinations in Philosophy available, *or safe*, for Catholics, is a *thoroughgoing reconstruction of the University Programme* in this department. Does Dr. Kavanagh believe that this can be effected on Catholic lines?

We cannot but regret that he has not devoted to the elucidation of this, the most practically important aspect of the case, that large section of his pamphlet which is occupied with another matter, as to which, in justice to a previous contributor to these pages, we have felt called upon most strongly to express unqualified dissent from his views.

defence of it, not likely even now to be abandoned without a struggle, the following is the state of the Prize and Honours List in Philosophy at the recent Examinations in Philosophy? Here is the list transcribed *in full*:—

B.A. DEGREE EXAMINATION.

First Class Exhibition £50	William A. FitzHenry, Queen's College, Belfast.
Second „ „ £25	Thomas Glass, Queen's College, Belfast.

HONOURS.

1st Class.

William A. FitzHenry	... Queen's College, Belfast.
Thomas Glass	... Queen's College, Belfast.
Robert Henderson	... Queen's College, Belfast.

2nd Class.

John M'Cammon	... Queen's College, Belfast.
William G. Strahan	... Queen's College, Belfast.
Patrick P. Malone	... Holy Cross College, Clonliffe.
Alice Oldham	... Royal College of Science, and Alexandra College.
Walter Johnston	... Queen's College, Belfast.

Surely every member of the University Senate must feel as strongly convinced as any outsider, that but for the overwhelming advantage afforded by the Examination Paper in question to students of the non-Catholic Philosophy, the Prize and Honours List would have shown a result very different from this.

Dr. Kavanagh writes with something like indignation of the “cry” that has been raised against the Examination Paper! Why, we may ask, should not that “cry” have been raised against it? Is it by silent acquiescence in the wrongs inflicted by the working of unjust schemes, or by the defective administration of just ones, that the Catholics of Ireland have obtained even the scanty instalment that they at present possess, out of all that is still due to them, in the matter of education, whether primary, intermediate, or university? He, no doubt, believes that the “cry” raised in the present instance against the working of the system of which he is one of the responsible administrators, is raised without solid justification. Is this a very unusual view for responsible administrators to take of the “cries” raised against injustice done by the working of a system, for the administration of which they are responsible? He seems, indeed, to

suggest that the complaints to which he thus refers were the not unnatural outcome of the disappointment felt by the students of our Catholic Colleges and by their Professors, at what he so strangely terms their "defeat" at the recent Examination. "It is painful," he says, "to have been worsted in our first encounter." "Worsted!" Far from it, indeed. No interest, in truth, has been "worsted" by the setting of the now famous Examination Paper, except the interest of those, if there be any such, who would desire the maintenance of that peculiar line of examination, which has been the occasion of drawing down upon the working of the Royal University its first formal censure from the authorised guardians of the purity of the faith of the Irish people.

Still more strangely, Dr. Kavanagh implies that the "cry" that has been raised against the Paper was a complaint of "undue difficulty." This really is not fair. Let the examiners of the University try the experiment of increasing, year after year, the "difficulty" of their Papers in every branch of the University Course. We have solid grounds enough before us to justify our confidence that they would find themselves compelled to desist in their career of progress by the storm of complaints that would assail them from the favoured non-Catholic Colleges, before even a murmur would have been raised on this score from the halls of their "unapproved" and slighted Catholic rivals.¹ In the very instance in question here, so far

¹ Dr. Kavanagh lays considerable stress on the fact that the paper in question was an *Honours* Paper, and that a number of students, far beyond the number who could have regarded themselves as likely to obtain Honours, acted injudiciously in selecting it instead of the mere *Pass* Paper.

But it must be remembered that in the group of subjects in question here, *there is*, in the University Programme, *no mere Pass course*. Any student wishing even to "Pass" in this group of subjects is constrained by the regulations of the Senate to select the Honours Papers.

Under the general regulations of the University, a *Pass* can in all cases be obtained by answering on an Honours paper. But in the case of the Examination for the B.A. Degree, Candidates selecting the Honours Paper cannot be adjudged to have "Passed" the examination, unless their answering "nearly approaches the standard at which Honours will be awarded."

Dr. Kavanagh announces in his Pamphlet that he has given Notice of Motion in the Senate "to exclude pass students from attempting to take a Degree in the Honours Papers." If this arrangement be adopted, it will, he considers, "prevent much of the dissatisfaction and disappointment which has been so freely expressed"

This may be. But we cannot see it, and we trust Dr. Kavanagh

is it from correct to represent the "cry that has been raised against the Paper," as a complaint on the score of "undue difficulty," that even in one of the opening paragraphs of the able analysis published in the November number of the RECORD, where the grounds of complaint are explicitly set forth, it is most distinctly stated that for those students who had been *prepared on non-Catholic lines*, the Paper, broadly speaking, presented no difficulty whatever, inasmuch as it contained, for such students, nothing but "*familiar questions expressed in familiar phraseology*," so that *they* had "but to resort to their *memory for complete answers*." Then, in the detailed analysis which followed, it was pointed out, in reference to one question, that *the non-Catholic candidate* had "abundant materials" at hand for "an exhaustive commentary" on the passage set for comment; of another question it was observed that the non-Catholic candidate had "the best help" towards answering it; of another, that the non-Catholic candidate "ought to have had *no difficulty* in making up a satisfactory answer;" of another, that "*the only difficulty*" which the non-Catholic candidate can have had in answering it must have been "*the embarrassment of too much riches*;" and so on, to the end. And this is now to be represented as a cry raised against the Paper as "unduly difficult!"

The issue raised, then, was obviously a very different one. And it is an issue from which, until justice has been done, it will be found impossible to draw off the attention of those who are now observing with such deep interest the effect of that so-called "cry" upon the University Senate—the issue, namely, whether the University Examiners shall or shall not be at liberty to set their questions in the future, as they have set them in the past, so as to give an advantage to the non-Catholic students of the University over their Catholic competitors. And this issue, however trifling it may appear when the question is looked at from within the Senate, is, on the contrary, of such primary importance when looked at from outside, that Dr. Kavaragh, notwithstanding his indisputable authority in University affairs,

has carefully considered the working details of the arrangement he suggests. To us, looking at the matter from an outsider's point of view, it would seem that the introduction of any such arrangement, so far as it can be regarded as possible to be introduced at all, should necessarily result in enormous inconvenience to all parties concerned.

will find it, we venture to say, impossible to gain even one adherent to his startling inexplicable statements that "the advantage or disadvantage to classes of students is *a very minor question*," and that "whether a particular Paper may give an advantage to Catholic or non-Catholic students is *so insignificant*, that it *scarcely merits reference* in this important controversy!"

But, becoming bolder as he proceeds, Dr. Kavanagh, a few pages further on, takes higher ground. "A little careful examination" of the Paper, against which all this "cry" has been raised, shows, he tells us, that "apart from phraseology and form," it is an "*excellent* (!) paper," and that, moreover, so far from its having afforded an undue advantage to students of the non-Catholic Philosophy, it is one "in which students, properly trained in the principles of St. Thomas, would have had a decided advantage!"

As he is of this opinion after having read the exhaustive analysis of the Paper, published in the November number of the RECORD, from the pen of one so thoroughly conversant with the subject in all its details as the writer of that analysis has shown himself to be, it is manifestly hopeless to think that a change could be effected in his view by anything that could now be written upon it by one whose other occupations have, to his deep regret, made it impossible for him to acquire more than a merely superficial acquaintance with even the leading questions of Philosophy, whether ancient or modern. But it may not be without interest to offer one or two remarks upon the strange method of reasoning by which Dr. Kavanagh, having made up his own mind upon the subject, endeavours to induce his readers to adopt his view.

In the first place, then, after having candidly set aside the first question in this "excellent" Examination Paper, as "*a conundrum* which should never have appeared in it," he draws up *a new set of questions*, seven in number. These he then designates "the leading questions" of the original paper, "slightly changed in form and phraseology." He tells us that he sent "*the paper*," as he calls it, "in this form," to "the distinguished critic in the RECORD," who agreed with him "that in this form it would have been an excellent paper, and well suited to students trained in the principles of Scholastic Philosophy."

What, we may well ask, has this to do with the complaint that was really made? That complaint regarded the advantage afforded to non-Catholic students *by the*

Paper which was actually set at the Examination. Granted that the Paper could so easily have been made available for students of Catholic Philosophy, why, then, was it presented to them in a form which, as has been so conclusively shown in these pages, and as the result has since placed beyond dispute, gave so overwhelming an advantage to their non-Catholic competitors? Dr. Kavanagh's plea, so far as it bears upon the question at all, would seem rather to aggravate the existing difficulty by showing that a further and most serious ground of complaint exists on the score of neglect, committed somewhere or other, in the omission so to modify the Paper as, at the same time, to maintain a suitably high University standard, and to guard, as they should have been guarded, the interests of Catholic candidates.

But we must not be understood in any sense to admit what Dr. Kavanagh throughout this section of his pamphlet seems to assume as almost self-evident, namely, that the questions drawn up by him, and set forth in his pamphlet, are even substantially the same questions as were set in the Examination Paper; that the difference is only in "form" and "phraseology;" and that it was only their want of "intelligence" and "training" that hindered the Catholic students from recognising those questions under the different "dress" in which they were set forth in the Paper.

Dr. Kavanagh indeed assures us that in this, which seems to us, if we may say it without offence, an absolutely indefensible position, he is sustained by the high authority of "the distinguished critic in the RECORD." But we must beg to be excused for refusing, in so plain a matter as this, to defer even to the testimony thus borne in favour of his view, well worthy of consideration as that testimony undoubtedly is. For to us, apart from all question as to the authority of critics,¹ it seems manifest on the face of it

¹ While revising this paragraph for the press we have received a copy of a pamphlet by the writer thus referred to, the Rev. Dr. Magrath, of Holy Cross College, Clonliffe, in which the whole question of the Royal University Programme, its Examination Papers, and its Examinations, in Philosophy, is dealt with in the fullest detail.

At pages 37 and 38 of the Pamphlet we find the following, which we regard ourselves as fortunate in being able to present in connection with what we have said above:—

"It is strange," writes Dr. Magrath, "that Dr. Kavanagh should speak of 'the paper in this form,' implying that his paper is but the

that the questions presented in Dr. Kavanagh's pamphlet are different, not merely "in form and phraseology"—which in such a case would surely be a difference sufficiently serious—but that they are different also in substance, from the questions set at the Examination. Or, to put the matter more directly, so as to keep clear of all possible wrangling about words, the extent to which they are different is this—that if a student had somehow managed to understand the questions in the Examination Paper in the sense which Dr. Kavanagh now puts upon them in his pamphlet, and had answered them as thus interpreted, he should of necessity have been considered by the Examiner as having answered questions other than those really proposed, and should consequently have failed to obtain the marks allotted for answering the questions on the Paper.

To take one plain instance. The Examination Paper

original paper in a different form. This, *of course, I would not at all admit.*

"[Dr. Kavanagh's] interpretation is set forth in nine distinct questions, arranged under the first five numbers of his paper. Now, I am familiar *usque ad nauseam* with the original paper, and with the context of the questions in the works from which they were copied, and it is *my full conviction* that *not one* of the nine questions propounded by Dr. Kavanagh interprets accurately *even the substance* of the original, and that at least *five* of them are *not interpretations* of it, but *pure additions* of it "

There is no difficulty in accounting for the apparent conflict of testimony thus brought out. Dr. Magrath seems, no doubt, to have expressed his approval of a set of questions sent to him by Dr. Kavanagh, but merely in the sense that those questions, would form, as far as they went, an excellent examination paper. Dr. Kavanagh, looking at the question from his own standpoint, regarded this as an expression of agreement with his view that the paper thus drawn up by him was identical, at least in substance, with that which was actually set at the Examination. As is now made manifest, Dr. Magrath's expression of opinion was nothing of the kind.

Moreover, we may learn that Dr. Magrath's expression of approval of the paper, even as viewed in itself, in no way covered some of the questions which appear in it as now published in Dr. Kavanagh's pamphlet.

"Though it is a very small matter," says Dr. Magrath, "I wish to add that Dr. Kavanagh has fallen into a slight mistake in saying that I approved of the paper as re-set by him. He has not adverted to the circumstance that question five, and part of question two, were not in the copy sent to me. *I would have objected to both additions.*" See *Catholic Philosophy and the Royal University Programme*, by the Rev. THOMAS MAGRATH, D.D., Holy Cross College, Clonliffe. Dublin: M. H. GILL & SON, 1885.

contained, as an "alternative" question, inserted apparently in the interests of Catholic candidates, the following:—

“ State briefly the theory expressed in the following :—“ *Corpus dicitur compositum ex materia et forma.*”

Now it will be observed that two things are here very clearly indicated, so clearly, indeed, that we can conceive no possibility of their being overlooked even by a student in the flurry of examination: (*a*) the candidate's answer was to be a *brief* one; and (*b*) it was merely to be a *statement* of the theory in question. Since, then, the question, as thus most distinctly worded, kept altogether clear of asking the candidate to *discuss* the merits of the theory mentioned, or even of asking him to state the *arguments*, even the *leading* arguments, in proof or disproof of it, it was, in fact, objected to in the analysis published in the RECORD,¹ as a not altogether satisfactory "alternative" in the interest of Catholic students. For, in the form in which it was thus proposed, it was a question that could have been answered with equal ease by *any* student, Catholic or non-Catholic, fairly familiar with the contents of any standard work on the History of Philosophy—the History of Philosophy being a subject *obligatory on all candidates* at that examination. We are not now concerned with the justice of this criticism. Obviously just and cogent as it is, attention is here directed to it merely as showing that, as a matter of fact, such an observation was clearly and prominently made, so that, even apart from the indisputable clearness of the words of the Examination Paper itself, "*state briefly the theory, &c.*," it ought, by this time at all events, to be plain beyond all possibility of misconception, that what was asked for by the Examiners in this particular case, was neither "proof," nor "disproof," neither "explanation," nor "discussion," but a mere "statement," and even that, a "brief" one, of the theory in question.

How, then, does the corresponding question stand in Dr. Kavanagh's version of the Paper, which he puts before his readers as differing only in "form" and "phraseology" from the Paper actually set, informing them at the same time that nothing more was needed to give a decided advantage to the Catholic students, than "the *intelligence* and the *training* to recognise the questions in their new

¹ See I. E. RECORD (Third Series), Vol. v. n. 11. (November, 1884), page 712.

dress?" Here is the question which appears in Dr. Kavanagh's Paper:—

“ EXPLAIN and DISCUSS the phrase:—‘ Corpus dicit compositum ex materia et forma.’ ”

And it is gravely argued that it was the want of “intelligence” and “training” that kept back the students from wandering away over the wide field of philosophical disquisition thrown open by such a question as this, when in point of fact they were told by the Examination Paper, in words the clearness of which admitted of no possibility of misconception, that what alone was expected from them was a “*brief statement*” of the theory in question!

Surely one such example is sufficient?

On grounds even of general Catholic interests we cannot but regret that Dr. Kavanagh should have felt himself called upon to introduce into his pamphlet this elaborate, but, as we must regard it, altogether ineffective, plea in defence of what the experience of the recent Examination has shown to be a grievance, pressing with cruel harshness upon the Catholic students of the University. We regret too that by doing so he should in any degree have lessened the extent of the claim which by his earnest zeal for the advancement of Philosophical studies in Ireland, he has established upon the grateful thanks of all those who are now actively engaged in the promotion of that noble work. But most especially must we regret it, inasmuch as his having thus devoted so large a portion of his pamphlet to an endeavour to weaken the force of the temperate remonstrance against the unfairness of the Examination Paper, so recently published in these pages, has made it necessary to devote so large a portion of this notice to a criticism, but for which it would have been, from first to last, the expression of an almost unqualified concurrence in what he has written in advocacy of his main thesis, so ably, so eloquently, and with such irresistibly persuasive force.

WILLIAM J. WALSH.

AN OLD STORY OF THE MIDDLE AGES.

THE middle ages have been called the "ages of faith," and their history vindicates their claim to the title. The mysteries of religion and the great dogmas of Christianity were living forces moulding the character and modifying the conduct even of very worldly and very sinful men. To be sure there was sin and crime, as there will be to the end, and not unfrequently the crimes were gigantic. But if men sinned greatly, they repented greatly. A life of lawlessness often changed before its night into a life of heroic expiation. Even in the worst of minds, and in the hardest of hearts, Heaven rarely lost its attractiveness, and still more rarely did Hell lose its overwhelming terror. They were, truly, "ages of faith."

They have also been called "ages of credulity." There is a sort of vague notion, not at all, I may remark, sustained by strict historical investigation, that in those middle ages, a sort of mist obscured the human intellect; that the world sat, if not in darkness, at all events, in a sort of twilight, that men were but children of a larger growth, easily moved, and still more easily deluded, and so credulous as to be at the mercy of any one who could excite their imagination or tickle their fancy. It is no part of my present business to vindicate the middle ages against any such charges; but I may venture to suggest that human nature is very much the same in one age as in another, that tendencies seem to change, when, in reality, there is nothing changed but their expression. The middle ages enjoyed no monopoly for the production of fables on the one hand, and of credulous fools to swallow them, on the other. The age of "Central News Agencies" can vie, in these respects, with any age I know of. It, too, can lie—and in those days of the press, the telegraph, and the telephone, can propagate its lie with a facility, and a speed unequalled, heretofore, in the history of the world.

I begin by saying all this, because if I had not said it, the discussion of the story I have chosen as a subject, might well seem to be an impeachment against the middle ages for their too great credulity.

The story I have to tell and to discuss is the marvellous story of the liberation, by the prayers of St. Gregory the Great, of the soul of the Emperor Trajan, from the hell of the damned. The story went that Gregory, passing one

day through the Forum of Trajan, bethought him of an act of signal clemency which Trajan had once performed in behalf of a poor widow who had appealed to his justice. He was setting out for the wars when the widow threw herself at his feet, told him that her son had been foully murdered, and implored that, as he could not give him back to his mother, he would at least avenge his murder. Trajan promised to do so on his return. "But," said the widow, "what if you come back no more?" He answered, "then my successor will do justice." "Ah," said she, "what will that profit *you*; were it not better do justice yourself and have the merit, than leave to another the good work and its reward?" The Emperor, struck by the justice of her reasoning, postponed his departure, and saw, with his own eyes, that the widow's wrongs were avenged. Thinking of this story Gregory went on to the Basilica of St. Peter, and wept over the pagan blindness of so clement a prince for a day and a night. Then an answer was vouchsafed him that his prayer for Trajan was heard, but that he should never again pray for a pagan.

This was the story that passed from mouth to mouth, from chronicle to chronicle. It was too good a story to be let alone. It offered a boundless field to the imagination, and accordingly, it was improved, and added to, and embellished, after the approved mediæval mode of dealing with a legend. It is worth while giving it in the setting of Brunetto Latini in his "*Fiore de Filosofia*." I take the version, which I here insert, from the notes to Longfellow's translation of Dante:—

"Trajan was a very just Emperor, and one day having mounted his horse to go into battle with his cavalry, a woman came, and seized him by the foot, and weeping bitterly, asked him and besought him to do justice upon those who had, without cause, put to death her son who was an upright young man. And he answered and said, 'I will give thee satisfaction when I return.' And she said, 'and if thou dost not return?' And he answered, 'if I do not return my successor will give thee satisfaction.' And she said 'how do I know that? and suppose he do it, what is it to thee that another do good? Thou art my debtor, and according to thy deeds shalt thou be judged. It is fraud for a man not to pay what he owes; the justice of another will not liberate thee; and it will be well for thy successor if he shall liberate himself.' Moved by these words, the Emperor alighted and did justice, and consoled the widow, and then mounted his horse, and went to battle and routed his enemies. A long time afterwards, St. Gregory, hearing of this justice, saw his statue, and had him disinterred, and found

that he was all turned to dust, except his bones, and his tongue which was like that of a living man. And by this St. Gregory knew his justice, for this tongue had always spoken it, so that he wept very piteously, through compassion, praying God that he would take this soul out of hell, knowing that he had been a pagan. Then God, because of these prayers, drew that soul from pain and put it into glory. And thereupon the Angel spoke to St. Gregory, and told him never to make such a prayer again; and God laid upon him as a penance either to be two days in Purgatory, or to be always ill with fever and sideache. St. Gregory, as the lesser punishment, chose the fever and sideache."

Such, in its later form, was the story, first in a much vaguer form, given to the reading world of Europe by John the Deacon, who lived nearly three centuries after St. Gregory. He said he had found the story in some English churches. There is not the slightest reason for thinking that John the Deacon invented the story. He was one of those who, under very great difficulties, catered for the intellectual cravings of the time. He was writing a life of St. Gregory, and was little inclined to criticise too closely any story that seemed to him to redound to the credit of the saint. It was no new thing then, just as it is a very old thing now, that a man who had undertaken to write the life of another, should play the part of an advocate, rather than of a judge. He found this story—and where was he more likely to find a story that added to the greatness of Gregory than in that country which had been so dear to Gregory's paternal heart?

At the very first sight one must say this of the story, that whether true or not, it was, at all events, "*ben trovato*." What could be more interesting than a story that dealt with such illustrious personages as Trajan and St. Gregory, and with a subject so fascinating as the release of a soul from that prison, over whose gloomy portal, Dante, and the whole middle age with him, saw written—"All hope abandon ye who enter here!"

It would not have been easy to fasten the story on any one more capable of carrying it safely than St. Gregory the Great. One of the greatest of those who had filled the Chair of Peter—a man to whom it had been given to do so much for the Church of God—a man whose writings were the edification of Christendom, and whose known miracles were numerous and undeniable—it did not seem much to the pious and uncritical readers of those not very critical times that Gregory should have had the additional glory of taking a soul out of hell.

Nor did the inventor show much less sagacity in his selection of Trajan. Trajan was not the best of the Pagan Emperors, but then he was very far from being the worst. He had persecuted Christians, but it was remembered in his favour that when Pliny the younger wrote him that famous letter which photographs, for all time, the beautiful and innocent life of early Christianity, Trajan had manifested a desire that Christians should not be too closely looked for, and should be punished only when it was necessary to vindicate the authority of the public tribunals. Of all the Pagan Emperors he was, perhaps, the one whose life and character made the most favourable impression upon the world at large. His life had not been so pure nor his character so exalted as the life and character of Marcus Antoninus; but his more robust nature and his less ascetic virtues were more likely to win for him the suffrages of men. It became a proverb in Rome, in praise of a prince, that he was happier than Augustus, and better, (not than Antoninus) but "than Trajan."

But it was the nature of the story itself that gave it most of its fascination. Hell, and the eternity of hell, are subjects of appalling interest to men who believe in them earnestly. And in those olden times men did believe in earnest. There was no year, scarcely indeed any day, in which the fear of hell was not seen producing marvellous effects in the wicked world. Men, whose deeds of blood and rapine had made the world shudder, exchanged the helmet for the cowl, and the sword for the crucifix, and sought, by an expiation as noble as their crimes had been gigantic, to escape the awful doom of "everlasting fire" which was still more awful from the fact that it was proclaimed by the mild lips of Him who would not break the bruised reed, nor quench the smoking flax. Hence, when it was whispered that one had been in that awful place, and alone of all the miserable millions whose place it is, had been snatched from the burning, it was no wonder that men should read with eagerness, and tell the story one to another, till, after some time, it had almost made itself a home amongst the beliefs of the period.

An attempt was soon made to carry the origin of the story farther back, and thus invest it with greater authority. A treatise was passed about, entitled "*De his qui in fide dormierunt*," which was attributed to St. John Damascene, and in this treatise mention is made of the story of Trajan. Of course, if this were genuine, it would afford an earlier

and, therefore, stronger piece of evidence in favour of the story, besides giving it the support of a great name. But there seems to be no doubt that this treatise is spurious. It contains many passages which are in striking contradiction to the opinions of the Saint as contained in those works of his that are known to be authentic. No doubt, too, if this treatise had been extant at the time John the Deacon was writing his life of St. Gregory, he would have been only too eager to claim the authority of so great a name for his story of Trajan. We may, then, safely conclude, that though the story may have been told from an early time in some obscure churches in England, it was, for the first time, introduced into the reading world of Europe by John the Deacon.

One curious result has followed from associating with this story the name of one so specially honoured in the Eastern church as St. John Damascene—it is this, that there is to be found in the “Euchology” of the Greek church a prayer which assumes the truth of the story. It runs, “as Thou hast by the earnest intercession of Thy servant Gregory the dialogist, freed the soul of Trajan from punishment,” etc.

We next find it in certain “revelations,” said to have been made to St. Bridget and St. Mechtilde. Unfortunately the revelations contradict each other. In one it is said that by the prayer of Gregory, “Trajan’s soul had been lifted to a higher grade;” whereas, in the other, the statement is that God wished to conceal the disposition He had made in the case of Trajan.

The authority of the Angelic Doctor has been claimed for the story, because in the *Summa (sup. quest. 78, art. 5)*, he brings this story, told, as he supposed, by St. John Damascene, as an objection to the proposition he wished to prove on the question, “Whether suffrages are of avail to the damned?” St. Thomas has not impugned the truth of the story; on the contrary, he carries on his argument as if he admitted its truth. But anyone who would on this account claim the authority of St. Thomas for the story, would only show utter unacquaintance with his methods of procedure. He deals with this matter after his usual fashion as a theologian, not at all as a historian. It was no part of his business to make an exhaustive critical analysis of every passage that came under his notice. His business was, when he found a statement historical, or other, made under the name of an author who was entitled

to consideration, to give such an explanation, as would, taking the truth of the statement *for a moment*, for granted, save the theological position he wished to establish—It was “*dato*” not “*admisso*.” This is precisely what he does in the case under consideration. He says that if the thing happened, or granting that it did happen, it must have happened thus;—that “Trajan was brought back to life by the prayers of Gregory, obtained the grace by which he got pardon of his sins, and thus merited freedom from punishment.” In such case he adds the state of Trajan was precisely similar to the state of others who have been miraculously restored to life. Even if they had died in mortal sin, they were not, in view of their destined restoration, finally judged, or finally consigned to hell.

It is evident, however, that St. Thomas had his doubts about the story as he found it. He proceeds to explain the matter on another hypothesis which would be more in accordance with the known and constant doctrine of the church on the impossibility of release for the damned; and which is based on an opinion, not indeed very probable, but one that has received a certain amount of support in some schools of theology. St. Thomas says, that a possible meaning of the story was, that Gregory obtained for Trajan, not indeed redemption from hell, but either a suspension of his pains, for a time, say, till the day of judgment, or a temporary or permanent mitigation of those pains. That such mitigation of the pains of the damned may take place is an opinion tolerated in the church, as far back, at least, as the days of St. Augustine who, though he does not seem to have held it himself, quotes it as an opinion that might be entertained.

Prudentius, in a well known hymn, gives poetical expression to this belief, and sings that when the blessed Paschal time comes round, some solace and surcease of pain descend upon the miserable souls:—

“Sunt et spiritibus saepe nocentibus
Pænarum celebres sub styge ferice
Illa nocte sacer qua rediit Deus
Stagno ad superos ex Acherontis
Marcent suppliciis tartara mitibus
Exultatque sui carceris otio
Umbrarum populus liber ab ignibus
Nec fervent solito flumina sulphure.”

Coming to examine this marvellous story, to my mind

the most curious fact connected with the whole controversy is the calm unhesitating manner in which all parties agree and settle that Trajan was actually damned. Those who believe the story admit that he *was* in hell, those who deny it maintain that he is there still. It may, however, be said that there can hardly be any more delicate question than the damnation of any individual, and that consequently in dealing with the subject of damnation, it is always well to confine ourselves to general principles.

The story in many particulars, or perhaps, I should say, rather in the absence of particulars, is very vague. I suspect that vagueness was largely intentional. There are evident indications of a master-hand in the concoction. In the first version of the story it was not stated precisely what it was that Gregory obtained for Trajan. There is quite an artistic touch in saying that "Gregory's prayer was heard," while the nature of the prayer is carefully concealed. It is not stated whether Trajan was admitted to heaven, it was not even stated that he was definitely and for ever released from hell. It was not, in fact, stated (in words) that Gregory prayed for Trajan at all—the skilful phrase was "he wept." All this, I imagine, was done by some one who had rare skill in keeping clear of theological pitfalls; a skill, I may remark, which contributed largely to prolong the life of the legend.

In truth, the more it is examined, the less substance will be found in it. It implies things which are utterly opposed to the written opinions of St. Gregory, which make it to the last degree unlikely that he would have prayed for any one whom he believed to be in hell. It is certain he would not do so (and this is precisely the answer given to the difficulty) without a special inspiration. But it would be strange that Gregory should have been implicitly reproached for following the dictate of such inspiration, and warned against offering a like prayer ever again. St. John Damascene, who is introduced into the controversy, does not differ in doctrine from St. Gregory. In fact, St. Thomas expresses the constant and unchanging doctrine of the church, in the proposition—"Since the damned, having received retribution according to their deserts, have reached the final term of life, and are destitute of that charity according to which the merits of the living are continued to the dead, it is manifest that suffrages do not in the least avail them."

The historical evidence is singularly weak. For three

centuries nothing is heard of the story; and yet it was too remarkable a fact, if it were a fact at all, to have so long escaped notice. When we have traced it to John the Deacon we have traced it to its highest source, and any corroboration it seems to receive from countless writers, contemporary and later, who repeated the story, is only the corroboration, common enough in those uncritical times, of men who, without the slightest pretence of critical examination, copied the dicta of those who had written before them. But what decisively settles the question is the fact that in the authentic documents preserved in the Roman Archives, regarding the acts of St. Gregory, there is not the faintest vestige of anything that could be shaped into such a story.

But though this legend rests on no historical evidence, yet as a mere story, it is safe to live for ever. It has been built into that wonderful structure, the *Divina Comedia* in which the genius of Dante has gathered up and expressed the theology, philosophy, history, and poetry of the marvellous middle age. In the *Purgatorio*, Canto the tenth, describing the sculptures on the walls, he sings:—

“There was storied on the rock
The exalted glory of the Roman prince
Whose mighty worth mov'd Gregory to earn
His mighty conquest; Trajan the Emperor,
A widow at his bridle stood attired,
In tears and mourning. Round about them troop'd
Full throng of knights, and overhead in gold
The eagles floated, struggling with the wind,
The wretch appear'd amid all this to say:
'Grant vengeance, Sire, for, woe beshrew this heart,
My son is murder'd.' He replying said,
'Wait, now till I return.' And she as one
Made hasty by her grief—'O, Sire, if thou
Dost not return?' 'Where I am, who then is
May right thee.' 'What to thee is other's good
If thou neglect thy own?' 'Now comfort thee,'
At length he answers. 'It beseemeth well
My duty be perform'd ere I move hence,
So justice wills and pity bids me stay.'”

And in the *Paradise*, Canto the twentieth, we meet the Emperor himself—

“Who to the beak is nearest, comforted
The widow for her son; now doth he know
How dear it costeth not to follow Christ
Both from experience of this pleasant life
And of its opposite.”

One thing has struck me, considering the flimsy evidence adduced for this story of Trajan, and it is this, that a writer like Natalis Alexander, should pursue the legend almost vindictively, through ten folio pages. He piles proof upon proof, authority upon authority. He waxes, in turns, eloquent, indignant, sarcastic—till one is forcibly reminded of that most unnecessary of all cruelties—"the breaking of a butterfly." What, I have asked myself, could have been the reason of so much vehemence, and so much zeal? Was it that Natalis Alexander had a prophetic instinct that hardly any dogma of Christianity would be exposed to more violent attack in the 18th and 19th centuries, than that which asserts, that "in hell there is no redemption?"

JOSEPH FARRELL.

QUESTIONS REGARDING PROPOSITUM.—II.

IT might be interesting, but could be of little practical value, to attempt to reconcile or give reason for making a choice among the verbally irreconcilable definitions of *consuetudinarii* and *recidivi*, which are found in theological works. Thus, the *recidivus* is defined by Billuart to be the man, "qui in idem peccatum jam confessum relabitur, *etsi semel*." This definition is adopted by Collet. According to St. Liguori, the *recidivus* is, "qui post confessionem eodem, vel quasi eodem modo, est relapsus absque emendatione." (*Praxis*, n. 71.) Schneider, who is always most carefully select in his choice of words, defines the *recidivus* to be, "qui idem peccatum mortale pergit committere post propositum emendationis, postque plures peractas confessiones, eodem vel majore numero lapsuum, absque omni etiam inchoata emendatione." Again, Billuart and others tell us that we may have a "recidivus qui non sit consuetudinarius, ut qui, post confessionem [peccati semel tantum commissi] in peccatum confessum aliquoties relabitur."

No practical difficulty, however, can arise from this variety of definition; for, although the laws regulating the absolution of *consuetudinarii* seem rigorously exclusive in their application, theologians make abundant provision for those who, being on the border line, will be variously

Questions regarding Propositum.

denominated either *consuetudinarii* or *recidivi* according to the definitions we select. Call him what you may, there could be no difficulty in treating the man specified—"etsi semel"—in Billuart and Collet's definition of *recidivus*: and no modern theologians would regard as technically *recidivus* the man whose case is made in the sentence last quoted from Billuart.

Another case, however, and one that is sometimes met with, is suggested by this difference of definition, and is solved by Billuart himself:—

"Consuetudinarius qui in prioribus confessionibus nunquam fuit correptus nec monitus de remediis adhibendis, neque illorum est conscius, si nihil aliud obstat quam consuetudo, et protestetur se de illa et de peccatis dolere, paratumque se exhibeat ad omnia remedia etiam dura et difficilia, potest statim absolvi . . . nec est expectandum donec pravam consuetudinem penitus eradicaverit."

The same case is given with the same solution by St. Charles Borromæo, by Collett, and Henno, &c.: "juxta opinionem satis communem."

"Recidivi," says St. Liguori, "ut communiter docetur, absolvi nequeunt, si sola signa ordinaria afferant, NEMPE, si tantum confiteantur, asserendo se pœnitere et proponere."—(*Prax.*, n. 71.)

"Ad absolvendos igitur recidivos . . . requiruntur signa extraordinaria: quae, juxta communem sententiam, certe sufficiunt ad absolutionem impertiendam: illud ENIM extraordinarium signum (modo solidum sit et fundatum) aufert indispositionis suspicionem, quae urget ratione relapsuum." (*Ibid.* n. 73).

Before entering upon the consideration of these *signa extraordinaria*, it cannot be quite irrelevant to inquire into the nature and effects of relapse, in so far as they have a tendency to sway and influence the judgment of the confessor.

On the one hand, Suarez says: "Docent omnes Auctores quod priusquam sacerdos absolvat, necesse est ut prudenter et probabiliter judicet pœnitentem esse dispositum . . . scilicet, per displicentiam præteritorum et propositum [firmum, efficax et universale] in futurum."

On the other hand, it will be asked how—even in the most favourable circumstances, short of the extirpation of the habit—can we ever satisfy ourselves that we have this "judicium prudens et probabile," regarding the propositum of a still relapsing sinner, whose after conduct has so frequently falsified his promises, and who now superadds

to such unreliable assurance, nothing more—at the very best—than an interested and only partial amendment spreading over a few days?

This is a difficulty which not seldom starts up to deter all confessors, and which, if indulged, would carry them into the very worst form of Jansenism. The following undeniable principles may help to solve it:—

(1.) In the Sacrament of Penance we are dealing with matters *chiefly supernatural*, in which God—and not the priest—is the Principal Agent. Confessors may sometimes for a moment be forgetful of this fundamental truth, and, in consequence, feel dissatisfied and fretful when they—unlike railway contractors and shipbuilders—are not able to check off and verify, as if by theodolite and spirit-level, the progress of the work they are employed upon. We need never hope to intuitively measure supernatural results.

(2.) “*Unanimis doctorum consensus, ex canone ab omnibus accepto, moralem certitudinem parit;*” and Suarez emphatically testifies to the unanimity of theologians in teaching, “*Neque oportet ut confessarius sibi persuadeat, et judicet etiam probabiliter, ita esse futurum ut pœnitens a peccando absterneatur; sed satis est ut existimet nunc habere tale propositum, quamvis post breve tempus illud sit mutaturus.*” Therefore, a “judicium probabile relapsus futuri, etiam post breve tempus” may stand side by side with a “judicium prudens et probabile pœnitentem esse dispositum,” and surely the “moral certainty” with which this truth comes home to us should be sufficient to remove all hesitancy and scruple.

(3.) Daily experience proves that thorough conversion oftentimes follows that very propositum, the stability of which we may have most suspected. The work is the work of grace, and not the result of man’s endeavour.

(4.) An additional argument of immense weight is derived from the fact that the vast majority of theologians teach: “*prudenter credi potest quod firmum habeat propositum pœnitens, qui asserit nolle amplius peccare, sed certo credit se relapsurum.*” La Croix and Sporer hold that absolution is to be refused to such men only when “they despair of salvation,” or believe that it is “*omnino impossibile ut de caetero ab aliquo mortali abstineant.*” It is, therefore exceedingly probable that we may have a “judicium prudens et probabile pœnitentem esse dispositum,” although the “certo credit” of both confessor and penitent points to relapse.

(5). That relapse is, of itself, by no means irreconcilable with the *propositum* firmum et efficax is thus argued by La Croix: “(a). Alioquin quoties pœnitens relaberetur, toties obligaretur ad repetendas omnes priores confessiones tanquam *invalidas*, quod est contra praxim et communem sensum fidelium . . . Ratio a priori est, quia relapsus est tantum signum quod voluntas facta sit inconstans et jam sit immutata . . . ergo ex relapsu imprudenter colligitur quod voluntas antea defuerit. (b). Potest esse verus et prædominans amor Dei quamvis, statim post, sequatur lapsus; uti patet in Angelis et Primis Parentibus, item in S. Petro. (c). Non est major obligatio vitandi peccata antiqua quam nova, ad omnia enim debet se aequaliter extendere *propositum* [universale]—imo facilius est vitare nova quam antiqua . . . sed ex eo quod quis afferat nova mortalia nemo prudenter judicat quod defuerit *propositum* in priori confessione; ergo nec ex eo quod afferat antiqua.”

From all this we may safely conclude that relapse does not, *per se*, always point to an imperfect *propositum*; but no one can reasonably doubt that most frequently it creates solid ground for suspecting that professions of similar character are no longer to be trusted. “Aliquando,” says De Lugo, “ex illa experientia [relapsus] arguetur pœnitentem carere nunc vero dolore et proposito requisito: qui enim efficaciter proponit et serio rem aliquam, quam aliunde moraliter implere potest, non ita facile obliviscitur statim sui propositi, sed saltem per aliquod tempus perseverat, et difficilius vel rarius cadit.” La Croix judiciously adds: “Hoc potissimum verum est si nova vehementior tentatio vel occasio periculosior non intervenerit.” Should the penitent fall “eodem vel quasi eodem modo” after two or three successive trials; should it thus become evident that the *propositum* in which we trusted has exercised no salutary check and effected no appreciable amelioration, it is abundantly manifest that no *judicium prudens* of its stability is any longer possible. It is further evident that the penitent has been either deceiving us by asking us to rely upon a promise which he did not purpose keeping; or he has been deceiving himself by estimating too highly the strength of his own resolution. If the former have been the case, we are bound, as the “dispensatores mysteriorum Dei,” to protect them against a repetition of the sacrilege. If the latter, we are bound *qua Medici et Judices* to save the penitent from the ruinous results of his own presump-

tion. In either supposition we can no longer accept his simple word as our guarantee that his *propositum* is *firmum et efficax*. The inference is inevitable—namely, that the relapsing sinner must now support his mere word (which is proved to be unreliable) by satisfying us of the existence and pressure of some superadded and sufficiently powerful motive, which will presumably influence him in keeping it.

Evidence establishing the existence and ascendancy of that motive—in whatever form it may present itself—is the *signum extraordinarium poenitentiae* which theologians require.

Even at the risk of being tedious, it may be well to repeat: Had the penitent never, or not more than once or twice, broken his word in this particular matter, it would be unfair and *ultra vires* to doubt it now; and hence we absolve the *consuetudinarius*. When, however, the penitent's own unchecked misconduct—"post plures peractas confessiones"—gives unimpeachable evidence that his word is no longer worthy of our confidence, every attribute of prudence demands that we shall look upon his promise with grave suspicion and refuse to accept it unsupported. Hence, we justly postpone the absolution of the *recidivus* until he gives new and independent proof of his sincerity. To act otherwise would be to betray, in all its phases, the fourfold responsibility of the confessor.

It is, therefore, the "*sententia communis DD. quod peccator recidivus, rediens cum eodem habitu pravo, non potest absolvi, nisi afferat [aut acquirat] extraordinaria signa suae dispositionis.*"—(St. Lig., l. vi., t. iv., no. 459.)

The presence of one or more of these *signa* is, or may be, evidence that the foundation of our suspicions regarding the *propositum* has been removed; but we should never forget that it is *only in so far as they give such evidence* that they justify us in giving absolution. We should remember that they form no part of the *dolor* or *propositum*; that their presence does not supply sorrow, nor their absence of necessity invalidate the absolution. They are in no sense or measure the *materia sacramenti*; they are, as far as the confessor is concerned, nothing better than so many witnesses to character brought into court, on the strength of whose testimony we may, *salva nostra conscientia*, pronounce sentence of acquittal.

It is not the purpose of this paper to discuss the *signa*

extraordinaria in detail. As found and profusely commented upon in every theological work on the sacrament of Penance, they are the tests of sincere *propositum* required, and relied upon, by those of our great theologians whose profound knowledge of sacred science was tempered and disciplined by years of practical experience. St. Liguori writes of these *signa*: “*Puto nequaquam eum errare, qui se dirigit cum sententiis communiter receptis . . . nec debet credi hos tam graves, DD. a Deo lumine suo fuisse destitutos in re quae directionem respicit conscientiarum totius populi Christiani.*”

It is no disparagement of these *signa* to assert that the presence of one, or even more than one of them, does not always wholly remove the *prudens suspicio indispositionis*. This is notably true of the “*itur longum*,” especially in those days of easy and luxurious travelling. No matter what the *signum* may be, we may still have most reasonable grounds for gravely doubting the penitent’s candour in describing it, or his disinterestedness of motive, or the honesty and effectiveness of the provision he has made for the future. It is no part of the confessor’s duty to be unduly suspicious; but he is inexorably bound to exercise a prudent judgment, and St. Thomas tells us that among the attributes of prudence are “*memoria, ex qua nascitur experientia, optima rerum magistra; intellectus; circum-spectio et cautio.*”

Take, for example, the “*minor numerus peccatorum.*” If the diminution in the number of his sins be of recent occurrence and have been preceded by reckless indulgence, clearly it is not of necessity a *signum extraordinarium*. At any rate it affords no proof that the former *propositum* still survives. All the value of this amendment will depend on the *motive* from which it has arisen, and must be estimated by the influence that same motive will probably exercise in rendering the *new* *propositum* efficacious and firm. Thus, if he have avoided sin—say for the last week—chiefly or solely in order that he may not risk being refused absolution or being deferred, it is *per se* worse than worthless. If, on the other hand, his avoidance of sin be clearly traceable to some extraordinary or supernatural impulse communicated “*in concione, in subitanea morte amici, in terrore terrae-motus, in grassante peste, &c.,*”—this should receive full consideration as the probable beginning of better things.

The “*minor numerus*” is undoubtedly a *signum extra-*

ordinarium when, "in iisdem occasionibus et tentationibus," the number has grown smaller *because of* the penitent's positive struggle made for the direct purpose of adhering to his propositum. When the "minor numerus" demonstrates that the propositum influences his life and conduct, it is a most encouraging sign—more especially if it have led to the "voluntaria fuga occasionum;" if the vivid recollection of it cause relapse to be followed by poignant and persistent remorse; and if, post lapsum, it gives no peace to the penitent until he again has recourse to the sacraments. Except in so far as it indicates a restraining and controlling power in the propositum itself, the amendment is, *per se*, of small account. If the number be notably less because the penitent, moved by a lively and loyal recollection of his promise, has struggled successfully against relapse for an uninterrupted period of considerable duration after his last confession, and has not fallen "nisi post magnum conflictum," the condition of the penitent is most hopeful. But this continued resistance for some weeks after last confession is of scarcely less value (it may be of greater value) inasmuch as it gives positive proof that, had he soon returned to confession, his cure would be now much nearer to its accomplishment. We should require that a determined purpose of frequenting the sacraments should henceforth form part of this penitent's propositum.

This paper has already so far overstretched the space which it was intended to occupy, that no room remains for testing by the rules of "Prudence" the other signa extraordinaria. But there is one signum given by Layman, Henno, St. Liguori, &c., to which (the writer apologetically takes leave to submit) it is possible that sufficient importance may not be always attached. It is the "Accessus ad Sacramenta omnino spontaneus et vere a lumine divino inspiratus." It is hardly too much to say that the recidivus carrying such credentials is, *in actu primo*, already saved. He should receive the benefit of every doubt regarding the full spontaneity of his approach, and the genuineness of his propositum. In effecting the cure of recidivi, as surely as anywhere else, the hallowed axiom is applicable: *Sacramenta propter homines*. Should a penitent voluntarily present himself with due humility, compunction, and self-distrust, we may never hesitate to apply to him the dictum of St. Liguori: "*Semper ac confessario positive non innotescit pœnitenti omnino defuisse dolorem, absolvere*"

potest." We should bear in our recollection that the Council of Trent assigns, as one of the most effectual remedies against evil habits, the "*poenæ satisfactoriae*" which follow absolution. That the same Holy Council has defined that the sacrament of Penance was instituted "*non solum da tollenda peccata præterita sed etiam ad præcavenda futura*;" that this sacrament bestows not only Sanctifying but also Sacramental graces; and that to postpone absolution (unless under the pressure of strict theological necessity) would be, as Henno says, to imitate the "*insanus medicus, qui non vellet adhibere præcipuum remedium nisi ægroto jam sanato.*"

Finally, taking it for granted that, unless in cases of rare occurrence, permission to receive Holy Communion is attached to the giving of absolution, we should be anxious, when possible, to communicate to our penitents, *as a remedy against sin*, that Sacrament which is the "*Fortitudo Fragilium*" (and who so fragile as the *recidivus*?); the "*Antidotum quo a peccatis mortalibus præservamur*;" "*quo fugantur dæmones et Angeli ad nos alliciuntur*;" "*vitiorum nostrorum evacuatio, concupiscentiæ et libidinis exterminatio, omniumque virtutum augmentatio.*"

C. J. M.

LITURGY.

The Tabernacle.

No well-instructed Catholic, much less any priest, needs to be reminded that in our concern for the beauty of God's house, the Tabernacle must hold the first place in our thoughts. It is the *Sanctum Sanctorum* in the house of God—the little apartment in which He lives. Respect then for Him whom it holds demands this care; and, moreover, it is a duty which we, priests, owe to the people to give them an example not only of prayerful devotion to the Blessed Sacrament, but of that too which is inseparable from a lively faith, a reverential anxiety reaching to the minutest particulars about the little home where our Lord dwells.

I purpose to set down in order the prescriptions of the rubrics and rubricists regarding the Tabernacle.

1. The Tabernacle must be not only scrupulously clean and neat both inside and outside, and furnished in accordance with the liturgical prescriptions, but also as elegant and costly as the revenues at the disposal of the priest for church-decoration can conveniently afford. In St. John Lateran's the Tabernacle sparkles with precious gems, and in St. Peter's it is made of gilt bronze and ornamented with columns of lapis lazuli.¹ It would be a manifest inversion of intelligent and well-ordered zeal to be lavish in the expenditure of care and money on the various articles of church furniture and decoration—such as even the pictures and statues of saints—and to neglect the Tabernacle.

2. *Material of the Tabernacle.*—The Tabernacle is commonly made of wood,² as being dry and well suited for keeping the Sacred Hosts ; but other solid and more costly materials, such as marble, iron, or bronze, may be also used. When the material is such as admits or retains moisture, it is always advisable, and in some cases necessary, to insert an inner Tabernacle of wood in order to protect the Blessed Sacrament from damp.³ In this case it would be well if the wood Tabernacle were not in contact with the outer one. It is now very common to have an iron safe for the Tabernacle, and this is sometimes enclosed in an outer one of wood or marble. The iron safe gives additional security for the protection of the Blessed Sacrament in case of fire, or of an attempt at sacrilegious robbery, and is also proof against damp.

3. *Its Shape and Size.*—No particular shape is prescribed for the Tabernacle. It may be round, or square, or of six or eight sides. In determining its shape, a good deal will depend on the character of the church and altar. A common form is that of a rectangular little chest with a cupola or dome, surmounted with a little cross. It may be remarked in passing, that this little cross will not suffice for the cross required at Mass.⁴ The Tabernacle is to have no opening except the door in front, and it is also forbidden to put in any part of it little windows through which the Blessed Sacrament might be seen

¹ Montault. *Traité Pratique de la construction, &c., des Eglises.*

² "Tabernaculum regulariter debet esse ligneum, extra deauratum, intus vero aliquo panno serico decenter contextum." S.C. Episc., 26th Oct., 1575.

³ Authors generally.

⁴ S.R.C. 3 Ap., 1821 (4578, 6).

within.¹ On the dome or top of the Tabernacle, a place is usually prepared to receive the Monstrance at the Exposition of the Blessed Sacrament. The only other object which may be placed on the top of the Tabernacle is the cross of the altar, as it is specially forbidden to make the Tabernacle a support or resting place for statues, or relics, or anything, except the Monstrance containing the Blessed Sacrament,² and the altar-cross.³

The Tabernacle is to be sufficiently large to hold the sacred vessels in which the Blessed Sacrament is reserved. In parochial and other churches we frequently have in reserve two large ciboriums, a lunette, and a pyxis; and accordingly the Tabernacle should be so large as to hold all these conveniently. But this want being provided for, the size of the Tabernacle should be in proportion to the altar on which it stands. It is very inconvenient when it encroaches so far on the table of the altar that but little room is left for altar-stone or corporal.

4. *The Interior Decoration.*—The interior of the Tabernacle is to be lined all round, including the door and on top and bottom, with white silk or damask.⁴ If nails are used in putting on this lining, they ought to be non-corrosive, and with gilt heads.⁵ It is the Roman custom, and indeed the common custom elsewhere too, to suspend from inside at the opening made by the door a curtain of rich white silk, suitably decorated with fringe, to prevent the ciborium from being seen, when the Tabernacle is opened by the priest, and also to shut out any dust. This curtain is divided in the middle in order that the sacred vessels can be conveniently put in and taken out, and also so arranged that it can be moved back, so that the ciborium in a private Exposition may be visible to the people when the door is open, without taking it out of the Tabernacle.⁶

The rubrics prescribe that a corporal (blessed) be placed in the Tabernacle, on which the sacred vessels are to stand. The corporal will of course vary in shape with the Tabernacle. When necessary, a pall will serve instead of

¹ S.R.C. 20 Sept., 1806 (4505, ad 2.)

² S.R.C. 16 Junii, 1663 (2231). 17 Sept., 1882 (4590), et Nota Gard.

³ De Herdt. *Sac. Liturg. Praxis*. Tom i., n. 181. De Conny. *Ceremonial Romain*, p. 9.

⁴ S.C. Episc. 26 Oct., 1575. Ben. xiii. *Instructio*.

⁵ Ben. xiii. *Ibid*. ⁶ De Herdt. *Ibid*. Tom. ii., n. 32.

a corporal.¹ The Tabernacle is intended to hold only the sacred vessels actually containing the Blessed Sacrament, and it is forbidden to place in it anything else—even relics, or the holy oils, or the purified sacred vessels, or the little vase containing the purification occasionally held over from first to second Mass, in fact, anything except the vessels containing the Blessed Sacrament and the corporal on which they stand.²

5. *The Exterior Ornamentation.*—When made of wood or bronze, the Tabernacle is richly gilt on the outside.³ The Capuchins, however, in consideration of their vow of extreme poverty are privileged to use a Tabernacle of plain wood without gilding.⁴ The exterior is usually decorated with emblems of the Blessed Sacrament, such as bunches of wheat, grapes, or with figures of adoring angels. On some Tabernacles there are suitable inscriptions. Montault⁵ tells us that in the Church of the Holy Cross at Jerusalem, the words “Hic Deum Adora” were inscribed on the Tabernacle; and on that of the cathedral of Grenoble, the inscription on the frieze is the text from St. John, “Hic est panis vivus, qui de coelo descendit. Si quis ex hoc manducaverit, non morietur in aeternum.” He mentions other similar instances.

The door of the Tabernacle is specially rich in its material and ornamentation. In the Church of St. Cecilia at Rome, it is of silver gilt, and set with precious stones.⁶ It is usual to paint or work on the door some figures relating to the Blessed Sacrament, or to the mysteries of the Passion, such as the Good Shepherd, the Last Supper, a Chalice with a Host over it, a Pelican, a Cross, or any other appropriate emblem.

It is prescribed in the ritual⁷ and by the Congregation of Rites⁸ that the Tabernacle when containing the Blessed Sacrament should be covered with a veil. The rubrical name for it is the *conopeum*. It cannot be dispensed with, even though a veil hangs inside the Tabernacle door. The inside veil is not necessary, but the conopeum is.⁹ The conopeum or veil is supposed to cover the Tabernacle on

¹ Gard. *Clement Instruct.*, § v. 4, b.

² Rit. Rom. *De Sacra. Euch.* S.C.R. 22 Feb., 1593. S.C. Episc., 13 Mai., 1693.

³ S.C. Episc., 26 Oct., 1575. ⁴ S.C. Episc. et Regul. 13 Jul. 1694.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *De Euch.*

⁸ *In Briocen.* 21 Jul., 1855 (5221 ad 13.) 28 April, 1866 (5368.) S.R.C. 28 Ap., 1866 (5368.)

all sides. It is divided at the middle in front, so as to allow of the opening of the Tabernacle door, and usually hangs from a little brass rod which is easily removed when necessary. It is manifestly very desirable that this veil, which is the liturgical cover and ornament of the Tabernacle when containing the Blessed Sacrament, should be elegant and rich. It is sometimes made of the costly material used for vestments, and more commonly of silk ornamented with gold lace, or expensive coloured fringe. St. Charles recommends the priest to have a special conopeum of real cloth of gold or silver, or some other material distinguished for its richness and appropriateness for the great feasts of the year. It is well, however, to understand that no special material is prescribed, and the Sacred Congregation decided that mere linen or even cotton fabric can be used for this veil.¹

A veil of one colour will suffice for all seasons of the year, and where only one colour is used, white is recommended as the most suitable, as it is the colour appropriated to the Blessed Sacrament. In some poor but well-regulated churches, they use veils of two colours, namely, violet for the penitential seasons, and white for the rest of the year. It is the Roman custom, recommended by the Congregation of Rites,² to change the colour of this veil, and of the antependium with the colour of the day. It is the Mass that determines the colour. Hence, if the colour of the Mass is different from that of the Office, as happens on Rogation Days, the conopeum is to have the colour of the Mass. Black, however, is never used for the conopeum or antependium, and its place is supplied by violet.³

When the Blessed Sacrament is not in the Tabernacle, the conopeum is removed or drawn aside, and the Tabernacle door left open.

6. *The Key of the Tabernacle.*—The Tabernacle is to be protected with a good lock;⁴ and the parish priest, in the first place, and after him the chaplain or priest who has to administer Holy Communion, is responsible for the keeping of the key.⁵ The key should not be left in the Tabernacle door (except when required for a function), or in an exposed place, or open drawer in the sacristy. We are forbidden to entrust the keeping of it to lay persons, even

¹ 21 Jul., 1855 (5221 ad 13.)

² *Ibid.*

³ S.R.C. *Ibid.*

⁴ Rit. Rom. *de Euch.* Caer. Epist. lib. I., cap. 6. Pont. Rom. *Ordo ad Synodum.*

⁵ S. Cong. Concilii, 14 Nov., 1693; 25 Jun., 1789.

though they are nuns.¹ When not kept at home under lock and key by the priest, the sacristy-safe is perhaps the best and fittest place for it.²

From a feeling of respect for the Blessed Sacrament and also to distinguish it from other keys, the Tabernacle key is usually more elegant in form and ornamented with some token or emblem. St. Charles recommends that, where convenient, it should be made of silver, or of common metal washed with gold or silver, or at least distinguished from common keys by its elegance of form and suitable decoration. There is no church in which the practice of attaching to the end of the Tabernacle key an ornament of gold lace or richly-embroidered ribbon may not be observed. It is recommended to have two keys, to provide against the necessity of breaking open the Tabernacle, if one key is lost.

It is forbidden to place a vase of flowers, or a picture, or reliquary, or any other similar object on the altar before the Tabernacle in such a way as to shut out from the view of adorers the little door with its Eucharistic emblems.³ These things may be placed on a lower level, but so as to avoid this inconvenience.

7. *The Place of the Tabernacle.*—The Blessed Sacrament is to be kept only in the Tabernacle, and the Tabernacle must be placed on the altar at its centre.⁴ It is forbidden to keep the Tabernacle, and consequently the Blessed Sacrament in a safe in the wall of the church, either immediately behind or to the side of the altar.⁵

The Tabernacle is placed on the high altar, except in cathedral churches, in which it is in one of the small chapels known as the Chapel of the Blessed Sacrament.⁶ This arrangement is rendered necessary by the Pontifical functions at the high altar of the cathedral in which it is so often necessary to turn one's side to the altar—a posture which would not be respectful to the Blessed Sacrament in the Tabernacle.

It is not allowed to reserve the Blessed Sacrament in more than one place in the same church.⁷ Accordingly it is useless, though not expressly forbidden, to have a Tabernacle on more than one altar. It is, however, found to be prudent and convenient in some places to keep a

¹ S.R.C. 22 Sep., 1593. S. Cong. Concilii. 12 Jan., 1694.

² S.C. Episc. et Regular, Jan., 1724.

³ S.R.C. 22 Jan., 1771 (3565 ad 10.) 6 Sep., 1745.

⁴ S.R.C. Letter to the Archbishop of Malines, 21st Aug., 1863.
Ibid.

⁶ S.C. Episc., 10 Feb., 1579. 29 Nov., 1594.

⁷ S.R.C., 21 Julii, 1696.

second Tabernacle in the sacristy to which the Blessed Sacrament can be transferred, when it is necessary to use the church for some celebration, half-secular, half-religious, such as for a theological thesis, a distribution of catechetical prizes, &c., &c.¹

8. *Blessing of the Tabernacle.*—The Tabernacle is blessed by the bishop, and it is one of those functions to which he cannot depute a priest in virtue of his ordinary faculties. For this he needs a Papal Indult. The form is given in the ritual.

According to St. Charles there ought not to be under the Tabernacle when it contains the Blessed Sacrament a drawer for the Holy Oils or relics, much less a chest for various articles of church furniture.

9. *The Tabernacle Lamp.*—Before the Tabernacle in the sanctuary there should be at least one lamp burning night and day. The ritual says “*lampades coram eo plures, vel saltem una die noctuque perpetuo colluceat.*”² When more than one are used, it is recommended to have an odd number. The oil to be used in the sanctuary lamp is oil of olives, and if this cannot be had conveniently, vegetable is to be preferred to mineral oil.³

Mass should be said daily where the Blessed Sacrament is reserved,⁴ unless a privilege has been received allowing a smaller number of Masses in the week to suffice.

The Blessed Sacrament can and ought to be reserved in 1^o, parochial churches, 2^o, in cathedrals, 3^o, in the churches of Regulars of both sexes whose vows are solemn, and whose monasteries have been erected by Apostolical authority. An Apostolic Indult is necessary to allow it to be reserved in other churches or oratories.⁵

LITURGICAL QUESTIONS.

I.

The Mass and the Indulgence of the Privileged Altar, when are they separable in their application?

When can the Indulgence of the Privileged Altar be separated from the Mass, so that the holy Sacrifice may be offered for A.'s intention and the indulgence applied to B.? PHILADELPHIA.

¹ Montault, *Ibid.* ² *De Euchar.* ³ S.R.C. 9 Julii, 1864 (5331.)

⁴ S.R.C., 16 Mart. 1833 (4700.)

⁵ S.R.C., 12 Sep., 1626 (655); 14 Junii, 1646 (1558); 12 Jan., 1804 (3670 ad 26); Ben. xiv. Constit. *Quamvis justo*; Ferraris, *Eucharistia*, §c.

We beg to refer our respected correspondent to the I. E. RECORD, 3rd series, vol. ii., page 420 (July, 1881), where we have treated this question with considerable fulness. Accordingly, at present, we shall reply very briefly.

1. Mass and Indulgence are inseparable in their application, whenever the Indult granting the Privileged Altar contains a clause requiring that the indulgence be applied to the person for whom the Mass is offered. Such a clause usually runs thus: "Ut quodocunque sacerdos aliquis Missam defunctorum pro anima cujuscunque Christi fidelis, quae Deo charitate conjuncta ab hac luce migraverit, ad praefatum altare celebrabit, *anima ipsa* indulgentiam consequatur, &c."

2. They cannot be separated whenever the person giving the Honorarium stipulates that the Mass is to be said at a privileged altar. This is a clear indication that the alms is given with the intention of securing the Indulgence in addition to the application of the Mass.

3. In other cases where the priest is not thus expressly bound to apply both to the same person, the Mass and Indulgence are separable in their application. Accordingly, a priest can discharge his obligation to one who has given him an Honorarium for a Requiem Mass by merely saying the Mass for the donor's intention, and may apply the Indulgence of the Privileged Altar to the relief of another suffering soul.

II.

The Heroic Act and its Conditions.

If a priest offer all his good works for the holy souls in purgatory exclusively, retaining only that part which he cannot transfer, in order to gain the indulgence granted to so heroic an act must he (a) always offer his Masses *pro defunctis*? (b) and say them without a stipend?

M. C. D.

No. By this heroic act in behalf of the souls in purgatory, which consists in a voluntary offering made to them, by one of the faithful, of all works of satisfaction done by him in his life, as well as of all those which shall be offered for him after his death, he foregoes in their behalf only that special fruit which belongs to himself. Consequently a priest is not thereby hindered from applying the holy Sacrifice for the intention of one who gives him an alms for this end.¹

See *The Raccolta*, p. 442 (Ed. 1878, Maryland).

Of course to gain the Indulgence of the Privileged Altar, which is among the favours granted to the Heroic Act, it is necessary that the Mass should be said *pro defunctis*, and in black whenever the rubrics allow a Requiem Mass.

III.

How often should Corporals and Purificatories be washed?

There is a consensus among rubricists as to the necessity of frequently washing soiled corporals and purifiers. You would confer a favour on many of your readers if you would state in your next issue how often they should be washed?

The Corporals must be always scrupulously clean. A soiled one should not be used. No exact time is fixed in the rubrics for washing them, except in so far as is necessary to observe the necessary perfect cleanliness.

Benedict XIII., however, in his dissertation, *On the cleanliness and propriety of the articles in the church, and the care and respect with which they should be kept*, says that the Corporal when used every day, even by the same person, should be washed at farthest every three weeks, and the purificatory every week.

IV.

The Divine Office and the Stations of the Cross.

Can a priest make "The Way of the Cross" and gain the indulgences thereof, whilst reciting the Divine Office which he is obliged to say?—P.P.

We should say *Ne*. It is certainly not easy to combine the conditions required for the proper recital of the Divine Office with the two required to gain the indulgences of the Way of the Cross—namely, 1^o, to visit the Stations singillatim; and 2^o, to meditate meantime on the Passion of Our Lord.

Of course the Stations may be interrupted for a short time in case of necessity, to read an Hour or so of the Office, as is plain from the following decree:—

An qui exercitium Viae Crucis peragunt et illud ad modicum tempus interrumpant, puta ad audiendum Sacrum, ad sumendam Eucharistiam, ad confessionem faciendam, &c., indulgentias lucrentur si illud prosequantur, vel ad indulgentiae acquisitionem oporteat in iis casibus illud ab initio reassumere?

S. Cong. Indulg. resp. Affirmative ad primam partem, dummodo notabiliter et moraliter exercitium non interrumpant; negative quoad secundam; et ideo non oportet in his casibus illud ab initio reassumere. 16th Dec., 1760.

THEOLOGICAL NOTES.

ANGUSTIA LOCI.

ANGUSTIA LOCI has long been first on the list of canonical causes for which dispensations in impediments of matrimony are granted. It is put forward for this purpose in numerous supplications from almost every part of the Christian world. Accordingly, the precise extent, to which it may be availed of, is a matter of considerable importance, and as a case recently reported in the *Acta Sanctae Sedis* throws some light on the obscure lines which bound each *locus angustus*, it may be useful to say something of the whole cause in connection with this noteworthy decision. The circumstances which drew it forth are thus summarised under 8th March, 1884:—

“In diocesi Valven. terrula, Rocca Calasii, est contermina loco Calasii a quo distat passus quadringentos quadraginta duos (metri ottocento circa). Sed semita adeo est aspera, ut qui a Calasio petit Roccam Calasii, dimidiam horam in itinere absumat necesse est. Parochus quando petit dispensationes matrimoniales pro incolis Roccae Calassii affert inter causas *angustiam loci*. Et revera locus angustus est si ipsum solum respicias. At non angustus si incolae istius connumerentur cum incolis Calasii. Ita parochus se agere asserit, quia semper ita actum est.”¹

“Modo Ordinarius Valven, sequens proponit dubium: “*quando ambo sponsi incolunt Roccam Calasii pro obtinenda matrimoniali dispensatione potestne afferri pro causa Angustia loci, quamvis Rocca Calasii non distat a Calasio mille passus?*”

The reply of the S. C. C. was “*Juxta exposita, affirmative.*” Moreover, before the case was submitted for solution, the Sacred Penitentiary and A. Datary were asked whether they followed any fixed rule and practice regulating the kind of *angustia* that was admissible as a dispensing cause. The Penitentiary had nothing special. But the ruling of the Datary is minute and important.

“*Angustia loci verificatur cum ejus focularia numerum tercentum non excedunt; nec officit quod locus angustus parum ab alio dissitus existat, dummodo ista duo loca sint inter se distincta et diversa, propriamque denominationem habeant. Aliqua autem distantia requiritur in suburbiiis, quae quamvis civitatis partem constituent; nihilominus angustia in ipsis admittitur cum per milliare aut paulo minus a civitate distent. Ita sentiunt Pyrrus Carrado² in Praxi dispens. Apost. De justis³ de dispens. matrim.*

¹ Facie xii., vol. xvi.

² Lib. 7, cap. 5,

³ Lib. 3, cap. 2.

Hujusmodi autem doctrinae adamussim consonat hujus Datariae Apostolicae praxis."

Thus, according to the practice of the Apostolic Datary, a fixed distance is required only in dealing with suburban districts, and for them it need merely approach an Italian mile in length, or be something more than three-quarters of a mile English. But this seems strange when placed side by side with the following decision given by the S. C. C. in 1876:—

"Angustiam loci non esse desumendam a numero focorum cujusque Parochiae sed a numero focorum cujusque loci vel etiam plurium locorum, si non distent ad invicem ultra milliare."

How are these documents reconciled? The practice of the Datary should be a safe guide to follow. But, on the other hand, an explicit reply from the S. Congregation seems to run counter to it, and more in harmony with the prevalent notion, appears to require that the *locus angustus* should be a mile distant from any other place or places, whose addition would bring the joint number of families beyond three hundred. In reality, however, the variance is only apparent, as will be more conveniently shown further down, after clearing the way which leads to this conclusion.

Adopting Feije's description, "haec causa existit quando, propter loci originis vel domicilii angustiam, non potest ibi femina invenire virum paris conditionis cui nubat, et idcirco desiderat consanguini, affini, &c., nubere, ne innupta manere, aut extra proprium locum nubere, aut disparis conditionis ex proprio loco virum habere cogatur." This ample definition almost explains itself.

1. Like most of the others, this cause is available only for females. Some held that it might be alleged *ex parte sponsi* as well. But the contrary is certain, both from the uniform practice of the Holy See and the motives which underlie *angustia loci*.

2. For if not allowed *ex parte mulieris*, then consistently with female modesty the only option, in many cases, should rest between undesired celibacy, an unequal alliance, and marriage far from home. Now, it is not the legislator's intention to make light estimate of these inconveniences. Of the first of them nothing need be said. The evil consequences of ill-sorted unions are also well known. And, as for the third, the Holy See does not wish to under-

rate in any way the disadvantages a woman suffers by leaving the neighbourhood of her father's family and going to live at a distance among strangers. But plainly for all this there is no parallel in the harder sex.'

3. Considering the object in view, it is not surprising that *angustia loci* could for a long time be put forward, as a canonical cause for a dispensation, in supplications sent from large cities, even from Rome itself. The number of persons of the same social standing as petitioner might be small, no matter how dense the general population. But since the time of Paul V. *angustia loci* may not be alleged for a large town or city, although at such centres, when the circumstance of rank exists, this latter point can still independently be put forward with good hope of obtaining a dispensation, especially when the blood of petitioner is largely diffused among persons of the same grade. Indeed, that Pontiff excluded all *civitates* in the canonical sense, *i.e.* diocesan capitals in which bishops reside, from the cause of which we are writing. Soon a question was put about the suburbs of these cities, and the Datary, by order of Clement VII., replied that they should be a mile (*milliare*) distant for *angustia loci* to exist. All this time the inconvenience of *civitates* without distinction being cut off, was keenly felt, and soon the exclusive line for towns generally, as well as for rural districts, was fixed by the canonists at a population of three hundred families or fifteen hundred individuals. The arrangement was definitely declared by Pius IX. in 1849, and the only important utterance on this subject since then is the one to which we above referred as recently reported in the *Acta Sanctae Sedis*.

4. The reason for that decision is clear from the outline just given of the motives and history of *angustia loci*. Although Rocca Calasii and Calasium are not a mile distant from each other, and have a joint population exceeding the *maximum* limit, this cause is nevertheless admissible on account of the natural difficulties of the way that lies between them. Indeed, considerably less difficulties of intercommunication, than were present in this case, would seem to suffice. All the Datary requires is that the places be distinct, and have each its own name, unless there be question of suburbs, when the distance of an Italian mile from the *civitas*, even though they be part of it, is as much as is needed. A precise distance therefore is only required for suburban districts, and the decision of 1867 in "Oveten, Dubio" is no more than an instruction pointing out the

mile-radius rule as a safe guide in other cases also. This is the opinion held by the erudite editor of the *Acta*, and its reasonableness is evident when the reply is read in connection with the fact, that the real question before the Congregation was whether *angustia* should be verified of *parishes*, rather than of *places* with scattered populations, in each case of not over three hundred families. And, as a matter of course, parochial divisions were held to have no bearing on the subject.

5. The inference from all this, for our own country, is important. Not alone in parishes where the inhabitants within a mile-radius of *sponsa's* abode do not exceed fifteen hundred, can the cause be safely assigned, but as well for islands, mountain tracts, and other districts of isolated situation, though considerably less than a mile apart from densely populated lands.

6. Moreover, in reckoning the people of a place for the purpose here in view, unbaptised persons, Heretics and Schismatics, do not count. But Catholics of both sexes and every age come within the calculation.

7. Again, it is not necessary that the *sponsus* should belong to the *locus angustus*. At the same time, when from beyond the border, that circumstance should be mentioned, as otherwise the wording of the dispensation may create a difficulty.

8. Either place of birth or where one has a domicile will suffice. But to avoid serious doubts afterwards, it should be clearly stated which *angustia* affects. If true of both, a dispensation is granted more readily, "*propter angustiam locorum*." The authorities generally presume there is question of the natal spot, unless the contrary be specified. A mistake in this matter would render the dispensation very doubtful.

9. The *locus originis* is easily dealt with. But when itself and the *locus domicilii* are different, several points must be looked to, if the petition be grounded on the circumstances of the latter place. Thus to guard against unsuitable wording in the dispensation it is right to state whether the parents of *sponsa* have also migrated to the new habitation, and more particularly whether it is a domicile or only a quasi-domicile. Continuance of residence in the place for some time is obviously necessary. And according to Feije, a quasi-domicile will not be enough, if the *sponsa* happen to have elsewhere a domicile in which she generally resides. But if the domicile

elsewhere be only *de jure*, with mere mention of its possession, *angustia loci* may be alleged for the quasi-domicile of actual residence. In short, the *locus* of continued habitation will suffice as well as the *locus originis*, but the *sponsa's* connection with the former requires clear though brief description.

10. It is not necessary to mention the rejection of several offers of marriage in the past, unless levity in an unusual degree had been the cause. That no perfectly eligible *sponsus* is forthcoming at the present time is all the dispensing superior demands. Moreover, according to Feije, the fact of one or even two such persons seeking the hand of *sponsa* will not constitute an insuperable objection, although the circumstance must be clearly mentioned. Suitors, who are not her equals on the score of worldly means, character, age, or disposition, are not reckoned. But even in regard to others, from what has been said, plainly the Holy See is anxious to leave some power of selection.

11. Lastly, the change which has occurred in the use of this cause deserves notice. The *oratrix* is still supposed to belong to a family free from any brand of infamy. But whereas formerly *angustia loci* was not available for obtaining a dispensation in near kindred, it is now admitted for relaxing so grave an impediment as the second degree of consanguinity. The circumstances of each particular case will here naturally count for a great deal. To dispense in any impediment a *causa proportionate gravis canonibus consona* is required. But accord with the canons once secured, the gravity due in motives is allowed to depend largely on the requirements of individuals and families in certain places and for certain times. In this way the wide diffusion of the petitioner's kindred, or more than ordinary social position, will enhance the force of *angustia loci* as a dispensing cause.¹

PATRICK O'DONNELL.

¹ Cf. Feije et Caillaud passim *de Angustia loci*.

THEOLOGICAL DECREES.

Decisions of the S. Congregation of the Holy Office regarding 1°, the Abolition of Minor Excommunication; 2°, *Absolutio ficta complicitis*; 3°, Craniotomy.

MINOR EXCOMMUNICATION.

Since the publication of the *Apostolicæ Sedis*, the canonists generally have held that the censure of Minor Excommunication has been abrogated. Some, however, for instance, M. Daris in his *Treatise on Censures*, and a recent writer in the *Revue des Sciences Ecclesiastiques*,¹ have held that this is not so; and others, in fine, like M. Santis, Professor of Canon Law in the Roman Seminary, and M. Moulart, of Louvain, have taught that the matter is doubtful. The chief reason for continuing to hold its non-abrogation was based on the document issued by the Holy See on the 7th of July, 1882, containing the form of general absolution. In this formula occur the following words: “*Absolvo vos ab omni vinculo excommunicationis majoris vel minoris . . .*”

The Congregation has now settled the discussion by declaring that it may be safely taught that Minor Excommunication has been abrogated.

ABSOLUTIO FICTA COMPLICITIS.

This decision is important, seeing that the opposite opinion has been held by St. Alphonsus and many theologians who have adopted his view. We are informed in his *Theology*,² that St. Alphonsus, doubting how he was to interpret the Constitution of Benedict XIV. on this matter, consulted the Sacred Penitentiary, and received the answer that the *Fingens absolutionem* does not incur the censure. Notwithstanding this reply, St. Liguori afterwards changed his opinion, because he believed that the decision of the Penitentiary was opposed to the Constitution *Inter præteritos* of Benedict XIV.; and many modern theologians have followed him in this teaching.

The Sacred Penitentiary was again questioned on this matter in 1878, and made the same reply, “*Simulantes absolutionem complicitis . . . non effugere excommunicationem reservatam in Bulla Sanctissimi Benedicti XIV. Sacramentum Poenitentiae.*”

¹ Vol. xlv., p. 270.

² *Theol. moralis*, lib. vi., n. 556, ques. 1°.

And now the Congregation of the Holy Office re-affirms the decision of the Penitentiary, so that there can be no longer any doubt about this question.

CRANIOTOMY.

The history of the third question is of rather recent date. The question was submitted for the first time in 1869 to the Sacred Penitentiary which answered: *Consulat probatos auctores*. From that date, the question has been much debated. The *Revue des Sciences Ecclesiastiques*¹ and the *Nouvelle Revue Theologique*² have had a series of articles to prove that this practice is never lawful—that it is, as M. Craisson writes in the first-mentioned journal,³ simply murder. Theologians more commonly taught this opinion. But the opposite opinion was not left without advocates. The late editor of the *Acta Sanctae Sedis*, Avanzini, wrote a defence of this side of the question; and his thesis has since been maintained by Viscosi,⁴ Appicella,⁵ d'Annibali,⁶ and by the present editor of the *Acta Sanctae Sedis*, Pennacchi.⁷

The Congregation of the Holy Office withheld a decisive judgment on the question as recently as the 10th of December, 1883, and simply announced that the matter was then under consideration.

This decision, which was awaited with so much interest, has at last come. The Congregation of the Holy Office has now definitely declared that the lawfulness of Craniotomy cannot be taught with safety.

The following are the Decrees on these questions:—

10th December, 1883.

ILLME. ET RME. DOMINE.

Litteris die 25 praeteriti Maii, Amplitudo tua supremæ hujus congregationis examini proponebat tria sequentia dubia.

“1°. Fere omnes constitutionis Apostolicæ Sedis commentatores docent excommunicationem minorem vi hujus constitutionis abolitam esse, utrum hæc sententia tuto doceri possit in seminario?”

“2°. Iterum omnes ejusdem constitutionis commentatores docent illum confessorium excommunicationi non subijci, qui complicem ex peccato turpi absolvere fingit, sed reipsa non absolvit. Contrarium tamen declaravit S. Poenitentiaria, die 1 Martii 1878.

¹ 1872.

² Vol. xvi., n. 1, 2, 3.

³ May, 1872.

⁴ *Lembryotomia nel suo rapporto colla morale catholica*, Napoli, 1879.

⁵ *La craniotomia considerata in riguardo alla morale*, Scafate, 1879.

⁶ *Summula Theologiæ Moralis*, part ii., n. 321, 322.

⁷ *De abortu et embryotomia*, Romæ, 1884.

“An potest orator permittere ut in suo seminario doceatur prae-fata commentatorum sententia responso Poenitentiariae opposita ?

“3°. An permittere potest ut in suo seminario tanquam probabilis doceatur nonnullorum recentiorum opinio, quod liceat infantem in utero matris occidere ad matrem relevandam, si alias mater et infans perituri sint ?

“Porro Emi PP. una mecum inquisitiones generales in Congregatione habita fer IV die 5 vertentis Decembris, ad examen revocarunt primum et alterum ex propositis dubiis.

“Siquidem tertium cum sit objectum plurium petitionum, quae ab aliis quoque ordinarius transmissae sunt, adhuc penes supremum hunc ordinem in studiis est.

“Jamvero ad 1^m iidem Emi PP. responderunt: *Affirmative*.

Ad 2^m vero: *Negative*; facto verbo cum SSmo, quoad utrumque.

“Cum autem SSmus. D. N. has Emm. PP. resolutiones ac responsiones adprobare ac pleno confirmare dignatus sit, eas Amplitudini tuae pro sui norma communico, ad impensos animi sensus eidem testatos volo, cui fausta omnia a Domino deprecor.”

LATEST DECREE OF THE HOLY OFFICE ON CRANIOTOMY.

Eminentissimi PP. mecum Inquisitores Generales in Congregatione generali habita Feria IV., die 28 labentis Maii, ad examen revocarunt dubium ab Eminentia tua propositum “An tuto doceri possit in scholis catholicis licitam esse operationem chirurgicam quam Cranotomiam appellant, quando scilicet, ea omissa, mater et filius perituri sint, ea e contra admissa, salvanda sit mater, infante pereunte ?” Ac omnibus diu et mature perpensis, habita quoque ratione eorum quae hac in re a peritis catholicis viris conscripta, ac ab Eminentia tua huic Congregationi transmissa sunt, respondendum esse duxerunt : Tuto doceri non posse.

(S. Cong. S. Officii, 31 Maii, 1884.)

CORRESPONDENCE.

SANATIO IN RADICE.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

DEAR SIR,—I am sure you will publish with pleasure the following letter which sufficiently explains itself, and which I have the writer's permission to forward for publication.

You will recognise the style of one of the most able and most zealous supporters of the RECORD. My only regret is, that his overflowing courtesy has prevented him from entering into a fuller vindication of his views on the subject of our correspondence.

In the circumstances, I consider it would be ungracious to add

a single line in support of my thesis. I will, therefore, submit the whole question as it stands to the judgment of your numerous theological readers—I remain, dear Sir, very sincerely yours,

✠ THOMAS J. CARR.

MY DEAR LORD,—I have seen your article in the current number of the RECORD on the subject of “Sanatio in Radice,” and being the correspondent, to whom you refer, I read it with more than ordinary interest, and with all due respect for the exalted position to which you have been so worthily raised since our friendly interchanges on this knotty subject. Nevertheless, I feel disinclined to enter anew upon the controversy, deeming it more becoming to take the attitude of a listener and a learner, than to act the disputant with a Bishop, however condescending and gracious the discussion might be, on one side, and however respectful and deferential, on the other.

But I must ask your Lordship not to think me too much of a critic, if I fancy, that I see in your Lordship’s words a suggestion to the effect, that on the subject in question I first took a position, and then backed up that position as well as I could, or, to use your words, “with much ingenuity” of argument. Let me assure you I pursued quite a contrary course. I read, and thought—and having read somewhat extensively, and thought very profoundly on the subject, I arrived at a conclusion, which seemed to me a very simple solution of the difficulty, and one in strict consonance with the soundest principles of jurisprudence, whether civil or ecclesiastical, presenting at the same time, the great advantage of making the “Sanatio in Radice” what it purports to be, a radical cure, and not merely a superficial healing, which would in reality leave the disease as deeply seated as before its application. In other words, it would, as I thought, impart reality to the antecedent effects, instead of a mere *putativeness* in virtue of a fiction of law.

Your Lordship would make PERRONE responsible for my view. I must confess, I was much influenced, though not altogether, by his handling of the subject. I admire PERRONE, and I admire him especially as an original thinker, who goes into every matter he discusses with his great mind, and profound erudition, and takes from the very vitals—*ab intimis visceribus*—of his subject the conclusions, at which he arrives by a cogency of reasoning, which bears down all opposition.

I must not be thought, however, in speaking so of PERRONE to mean any disparagement of the respectable authors whom you quote. On the contrary, I imagine I can come to terms with them in the distinction between the *forum externum* and the *forum internum*, inasmuch as with them I regard the marriages in question to be invalid, if put to trial at the former tribunal, whilst I maintain the ground intact, on which I consider them good and valid in the *forum internum*.

I have the honour to remain, very respectfully,

YOUR LORDSHIP’S CORRESPONDENT OF THREE YEARS AGO.

NOTICES OF BOOKS.

Prælectiones Dogmaticæ. De Verbo Incarnato; quas in C. R. Universitate Cœnipontana habuit FERDINANDUS ALOYS. STENTRUP, e Societate Jesu, Pars Prior: Christologia. Vols. I. & II.

Father Stentrup divides his exhaustive treatise on the Incarnation into four long chapters. The last of them is to explain *Soterology*, or what Christ is to us. The other three, which are conveniently subdivided into eighty-five Theses, are now given to the public in two well-printed volumes, and treat of Christology, or of what Christ is in Himself. The "Assuming Person" and the "Nature Assumed" take up the first volume, while the second, with its six sections, is devoted to the "Mode of Assumption." The last section of all, which deals with the properties of Christ's human nature, rightly receives special attention from the learned author. Everything belonging to the Person of our Divine Lord has a peculiar interest for the Christian mind; but above other questions, even in the Incarnation treatise, the qualities of the Saviour's body and soul, of that humanity, in which the Head of the Church is like the Members, must always possess an absorbing attraction for our reverent study. In this portion, as indeed throughout his work, Father Stentrup shows a ready command of the S. Scriptures, Fathers, early Councils, and great Theologians. Of modern writers he makes somewhat sparing use, unless recent errors, such as Günther's, are to be combatted, when he beats down the heterodox with every available weapon. The second part of this work will, we are confident, like the first, fully sustain the good name of the great University from which it comes.

P. O'D.

Florilegium seu Fasciculus Precum et Exercitiorum. Brugis Flandrorum: DESCLEE, DE BROUWER et Soc.

We can heartily recommend this little manual to priests and ecclesiastical students. It is at once a priest's prayer-book of the best form, and a useful manual of reference when one seeks for information as to the conditions, indulgences, and privileges of the various Sodalities and exercises of devotion. The information it contains on those topics is thoroughly trustworthy, as it is founded on the Decrees of the S. Congregation, which are in all cases either given in full or accurately referred to.

The manual is small, elegantly printed, and makes altogether a neat little book. We would wish to see it on the prie-dieu of every priest.

ED.

Instructio de Stationibus S. Viæ Crucis, &c.

This little book will be found to be generally useful, though written chiefly for the priests of the Order of St. Francis.

We find in it a brief explanation of the chief points relating to

the Stations of the Cross. It treats, for instance, of the nature of the authority required to erect Stations ; of the conditions to be observed by one who has received the necessary delegation, on the conditions for gaining the Indulgences ; and, finally, on Crucifixes indulgenced for the Stations of the Cross.

The information it contains is trustworthy, as it has the Imprimatur of the Congregation of Indulgences. The little book is written in Latin, and printed "ad Claras Aquas," near Florence.

ED.

The Little Lamb. By Canon SCHMID. Translated by M. E. W. GRAHAM. Dublin : GILL & SON.

This is a pretty little story for children. To be sure, the most improbable things are represented as taking place, but then children are not likely to object to the marvellous, when all is done to reward, even in this life, the good and dutiful. Each chapter, as well as the whole story, has its moral for the little reader. The translation is well done.

ED.

The Maynooth College Calendar. Dublin : BROWNE & NOLAN.

In addition to the usual full information regarding the various departments of the College, the present Calendar has some interesting appendices. Appendix II. is an essay, reprinted from the IRISH ECCLESIASTICAL RECORD, by the Rev. John Gunn, on "Reminiscences of Maynooth." In another appendix we find a copy of the Will of Dr. Hussey, the first President of the College, and afterwards Bishop of Waterford ; and also an obituary sketch of another President, Dr. Montague, written in 1845 for the *Evening Post*, by the late Dr. Murray. Finally, Dr. Walsh continues his interesting notes on the past officials of the College.

In looking through the Calendar, we are particularly pleased to see that there is no diminution in the number of students—in fact, the present number, 526, is, we believe, in excess of the number recorded in any former Calendar.

Catholic Philosophy and the Royal University Programme. By the Rev. THOMAS MAGRATH, D.D. Dublin : GILL & SON.

We received this important pamphlet but a short time before going to press ; and as we intend to examine it carefully, we defer our notice of it till the next issue of the RECORD.

Owing to pressure on our space, we are very reluctantly obliged to hold over answers to various questions and notices of many books.

ED. I. E. R.

THE IRISH ECCLESIASTICAL RECORD.

MARCH, 1885.

THE LATE CARDINAL MACCABE.

FOR the first time since the publication of the present series of the IRISH ECCLESIASTICAL RECORD, our title-page bears another *Imprimatur* than that of Edward Cardinal MacCabe. The cause of this change we record with profound sorrow. On the evening of the 10th of February his Eminence was taken suddenly ill and died within a few hours.

The announcement in the newspapers of the following morning that Cardinal MacCabe was dead was a great shock to the whole country, especially in places distant from Dublin to which no intelligence of his sickness had penetrated. It was, indeed, generally known, that the Cardinal was not strong, that the two recent prolonged and severe attacks of illness from which he had so narrowly escaped with his life had considerably undermined his naturally robust health, but yet there was no indication that his end was so near. On the 1st of February he was strong enough to preach a Charity Sermon in his Cathedral, and on the Saturday before his death he presided at the Requiem Office and Mass for his friend, Lord O'Hagan. In fact, up to the moment when the blow came, the Cardinal was at his ordinary work, but once struck down it was plain to the physicians who were called to attend

him that the hours on earth for their illustrious patient were now very few. The last Sacraments were administered without delay, and early on the morning of the 11th of February Cardinal MacCabe died, surrounded by his priests and in the midst of the people of Kingstown for whom he had worked so long as Parish Priest, and by whom he was held in such deep affectionate reverence.

The outburst of sorrow on the part of the people of Kingstown, when the sad news was made known, was such as could be witnessed only in Ireland where the people cling so fondly to their devoted priest. In particular the procession on the evening of the removal of the remains of the Cardinal from Kingstown to the Cathedral was an extraordinary testimony to departed worth.

And the capital was not behind Kingstown in the practical expression of its grief. For the three or four days during which the corpse lay in the Cathedral, there continued to flow to the church a stream of people from early morning till night to do reverence to their deceased Chief Pastor, to whom in life they were wont to look up as the model of his flock. So great, indeed, was the anxiety of the people, especially of the poorer classes, to kneel and pray by the coffin of the Cardinal, that at no time while he lay there could it be reached without working one's way through dense crowds. And this splendid manifestation of sorrow and affection was not more than Cardinal MacCabe deserved from the poor. They were the most cherished portion of his flock, when ministering either as Curate, Parish Priest, Bishop, or Cardinal; and we have been told what is thoroughly characteristic of him, that he made it a condition in his last will that he should not be separated from the poor, even in death. His interment in Glasnevin, rather than in his Cathedral Church, was at first a matter of surprise to us as to many others, until we

heard the explanation, that the Cardinal requested his executors to bury him in the open cemetery among his people, and as far as possible to select for him a spot where he would be surrounded by the graves of the poor.

And to understand how not only Dublin but the whole Irish Church mourned over Cardinal MacCabe, one should be in the Cathedral at Marlborough-street on the occasion of his obsequies, and on the line of the funeral procession. Rarely was there assembled in Ireland a larger or more representative gathering of Archbishops, Bishops, and Priests regular and secular of every grade from the four Provinces, to show their respect to a great Prelate and to supplicate God's mercy on his soul.

But we are not writing in any sense a sketch of the life or death of our revered Cardinal. This is not the place for it. Our sole purpose is to avail ourselves of the first opportunity since his death to express our own deep sorrow for the loss of one who did all that his exalted station enabled him to do for the success of the IRISH ECCLESIASTICAL RECORD. When first told, now more than five years ago, of the project of reviving the RECORD, Cardinal MacCabe warmly encouraged those who entertained it; it was in concert with him that the general character and management of the journal were arranged; he it was who appointed its Editors, and to them, whenever they sought his advice, the Cardinal was readily accessible, with never a sign that they might be trespassing on the valuable time of one who was occupied with concerns of vast and far-reaching importance. For his condescending, gracious, and unwearied kindness, and the practical interest which his Eminence took in our work, we shall always hold him in grateful remembrance, and we earnestly join with his bereaved people of the Archdiocese of Dublin, and with the whole Irish Church, in praying for eternal peace and rest to his soul.

THE EDITOR.

CAN A PRIEST SAY MASS PRIVATELY FOR A DECEASED PROTESTANT ?

THIS question was lately asked me by a learned foreign ecclesiastic who thought that my answer might probably reflect the prevalent opinion of priests in these countries, where, from the number of converts to Catholicity, the question is likely to be more familiar and practical than elsewhere. He said, at the same time, that he had himself resolved it in the affirmative, as also had the Professor of Moral Theology in his Catholic University.

I gave him my own opinion in the same affirmative sense, together with the grounds on which it is based; these, in a more extended form, I now venture to send to the RECORD, with the hope that the question may be of interest to its readers, and that additional light may be shed thereon by others in its pages.

The question is often very practical in England, where the priest is perhaps himself a convert, or a member of a non-Catholic family; and where priests not unfrequently may be asked by converts to say Mass for their deceased Protestant relatives and friends.

Before stating my reasons for the affirmative answer which I give to the question proposed, it is well to come first to a clear understanding as to its terms.

1°. By "Mass said for a deceased Protestant," I suppose that the Sacrifice is offered up with the same direct intention for his soul in particular, as it would be for the soul of a deceased Catholic. Even in this latter case, subjectively the priest may have varying degrees of doubt as to the actual application of the Sacrifice by Almighty God; but such doubt, however strong, would neither, I conceive, render such an intention unlawful, nor would it change the *direct* nature of that intention.

I make this remark on the *directness* of the intention, because theologians in treating of the excommunicate who are still living, distinguish between a *direct* and an *indirect* offering of Mass in their behalf: but I cannot see how if Mass is to be said at all for a deceased Protestant in any true sense, it can be offered up otherwise than *directe et in particulari* for the repose of his soul.

2°. By "Mass said for a deceased Protestant," I understand not merely the application by the priest (in quantum potest) of what he does in Mass *proprio nomine*, i.e. so far as the offering up of the Sacrifice is a private and personal good work of his own, and not merely his own prayers and *Memento*; but the application of what he does *nomine Christi*, viz., the essence of the Sacrifice

properly speaking, and, *so far as it may be available*,¹ for the repose of the departed soul. For a priest to offer up only what he does *proprio nomine*, to the exclusion of what he does *nomine Christi*, in another's behalf, would not be to say Mass for him at all, according to the proper and received sense of the words: nor could a priest licitly accept a *honorarium* for Mass from the person in such case, since he would not thereby fulfil the implied contract; whereas by offering up the essence of the Sacrifice, that is, what he does *nomine Christi*, in behalf of the person for whom he has engaged to say Mass, the priest fulfils his contract; and he is no way bound to apply also for that person what he does *nomine proprio*; this being private and personal he may keep for himself, or apply (so far as it is alienable) for what other intention he pleases.

I reserve for consideration later on the application of what the priest does as the representative of the Church *nomine Ecclesiae*.

3°. I suppose, moreover, that the priest may receive a *honorarium* for the Mass said for such deceased Protestant.

4°. By "the Mass being said *privately*," or secretly, I understand that it is not published, that others do not know the particular intention for which it is offered: so that no scandal could thence arise.

5°. The soul of the deceased Protestant is *ex hypothesi* presumed to be in Purgatory; otherwise the whole question at once falls to the ground. The reasons for presuming his soul to be in Purgatory would of course be: that he was a baptized Christian who was probably in *bona fides* as to faith and religion; not a formal but only a material heretic; probably alike ignorant of the exclusive and divine claims of the Catholic Church on a Christian's faith and obedience, as also of her censures, *tum juris. tum facti, tum poenae*; hence free from contumacy, and not really incurring them; and presumably dying in the grace of God. But as, on the other hand, the person in question lived and died a member of a heretical sect, he is notoriously outside the visible communion of the faithful, and certainly in the number of those who are accounted excommunicate. Consequently it would be clearly unlawful and scandalous that the Sacrifice of Mass or any other common suffrages should be publicly offered up for the deceased soul of such a one; and whatever prohibitory or restric-

¹Throughout this discussion I purposely avoid entering into the question of *how* the sacrifice may avail, whether by the efficacy of *impetration* or of *satisfaction*. The Right Rev. President of Maynooth has in his able articles (I. E. RECORD, third series, vol. iii., No. 12, Dec. 1882, and vol. iv. Jan., April, and August 1883) very lucidly written on the various fruits of Mass, and to whom they are communicable. He has also so fully explained the terms *proprio nomine*, *nomine Christi*, and *nomine Ecclesiae*, that it would be superfluous to say more on this head. The reader will see that I am not a little indebted to Dr. Walsh for his admirable articles.

tive laws the Church has made, and which are still in force with regard to Mass being offered up for such excommunicate persons and heretics are of operative application in this case.

I will now state my grounds for an affirmative answer to the proposed question.

My main argument is: *Per se*, according to the institution of Christ, the Sacrifice of Mass can be lawfully offered for all those to whom it may be any way beneficial, *i.e.*, for all the living and for the souls in Purgatory.

The soul in question is presumably in Purgatory; therefore, *per se*, Mass may be lawfully said for that soul.

I say, *per se*: 1°. Because the Church, for just reasons, may *positively* prohibit, so as to render *unlawful*, the offering of Mass for certain persons or classes of persons; as, in fact, she has certainly done in the case of the *excommunicati vitandi*; or the Church might forbid the offering of Mass for such or such persons, save under prescribed conditions, *e.g.*, that it should be only said in private.

2°. Or again, even though there should be no positive prohibition on the part of the Church, yet divine and natural law might, in certain circumstances, demand that Mass should not be offered without restriction for all persons or classes of persons indiscriminately, *e.g.*, for the notoriously excommunicate (*tolerati*), for heretics, etc., from fear of causing scandal to the faithful; of bringing the laws and censures of the Church into contempt; of seeming to countenance and palliate crime, whereby the wicked might be encouraged in contumacy; of seeming to sanction or make a compromise with error, and thus to confirm others in their heresy or schism. In such cases, divine and natural law would require that, if Mass is said at all, it should be said, not publicly, but privately.

Now, as it appears to me, there is no ecclesiastical law by which the offering of the Holy Sacrifice for a deceased Protestant, presumably in Purgatory, can be held to be forbidden; for that whatever prohibitions the Church has made in particular cases, have in view the requirements of natural and divine law which would be violated by publicity, but are, for the most part, safe-guarded by the Mass being said in private.

Consequently, since no law, ecclesiastical or divine, appears to the contrary, the Sacrifice of Mass may be lawfully offered for the soul in question. For liberty is in possession unless it be thus restrained.

In what follows I must endeavour at least to show

such absence of prohibition. This I shall not attempt to do in a formal manner, or by direct proofs, but shall rather content myself with bringing forward matter for consideration, from which I consider such proofs may be fairly drawn.

It will throw light on our particular question to consider the general teaching of the Church, and her positive enactments, as interpreted by theologians, with regard to the offering up of Mass for all the different classes of persons who are outside her visible communion. And I shall therefore recall, so far as I have been able to gather, what may be held on this subject, and in the following order :—

I. The Excommunicate. II. Catechumens. III. Infidels. IV. Heretics and Schismatics.

I. THE EXCOMMUNICATE.

1°. It is certainly lawful to offer up Mass even *nomine Ecclesiae* for all the excommunicate, *indirectly, i.e.*, so far as their good may result in benefit to the Church.

2°. It is unlawful to offer up Mass *directe et in particulari* for an *excommunicatus vitandus*, *nomine Christi aut Ecclesiae*, *i.e.* to say Mass, properly speaking, for him at all; for to do so would be a violation of the positive prohibition of the Church. But a priest may offer up Mass *proprio nomine, i. e.*, he may offer up the good work he does as a private person by his saying Mass—just as he may any other private works or prayers,—for such an excommunicate.

Should he make the intention of offering *nomine Ecclesiae* he would not only act illicitly, but also invalidly, since the Church has no intention of offering up the Sacrifice for a *vitandus*, but one quite contrary. Should he offer *nomine Christi*, the offering, though illicit, would be valid, since the Priest's intention here does not depend upon the will of the Church, any more than for valid consecration.

3°. According to the more probable and now generally received opinion it is lawful to offer up Mass for an *excommunicatus toleratus, directe et in particulari, etiam nomine Ecclesiae*.

The foundation of this opinion is, that the full liberty granted to the faithful since the Council of Constance of communicating *in quibuscumque divinis* with the *non vitandi* imports that of the priest's offering up Mass for them; and, in point of fact, whenever any such excommunicate are present at Mass the priest does directly pray and offer up the Sacrifice in their behalf, *nomine Ecclesiae*, as is plain from

the words in the Canon: "Et omnium circumstantium pro quibus Tibi offerimus hoc Sacrificium."

Since, moreover, by the same concession of Constance, the faithful are allowed to bury such excommunicate *in loco sacro* with ecclesiastical rites, the priest can lawfully (because it is so implied by that permission) offer up the suffrages of prayer and Mass for them, *nomine Ecclesiae*.¹

It is evident, however, that Mass can only be said privately for such a one, should there be danger of scandal from its publicity, as would be the case were his excommunication notorious.²

This liberty of saying Mass for the *tolerati*, whilst indirectly it greatly benefits the excommunicate, results directly in advantage to the faithful, as S. Alphonsus remarks,³ spiritually through the merit of charity, and temporally on account of the *stipendia*, etc., thence derived. The priest may therefore lawfully accept the honorarium that is offered for Mass said for an excommunicate. And this would hold good in whatever cases Mass may be lawfully said for any others who are outside the visible communion of the Church.

Theologians, so far as I have been able to observe, do not treat *ex professo*, or as a question apart, whether Mass may be said for a *deceased* excommunicate (*toleratus*), but they seem to look on this as one and the same with that regarding the living; and in their statements and arguments they imply that if Mass is lawful for a living *toleratus*, it is also lawful for one who is dead. Nay, more, as we have already seen, they deduce one of their main arguments for the lawfulness of offering Mass for the *tolerati* in general, from the fact of its lawfulness when offered for the dead being contained in the permission to give them ecclesiastical sepulture.

We may here add the following remarks:—

1°. Although the faithful may thus lawfully communicate with the excommunicate, they are not *bound* to do so with those whose excommunication is notorious.

2°. Though it is laudable and recommended by the Church,

¹ Conf. Salmant. De Euch. Sacram. Disp. xiii., dub. iv. 70. S. Alph. Th. M. De Censuris, n. 161. De Lugo De Eucharistia, Disp. xix. sect. x. 185–191.

² "Ordinarie tamen lex divina talem communicationem *publicam* prohibebit saltem ob contumptionem et despicientiam censurarum quae sane inde proveniret." Gury Comp. Ratisbonae 1868, Tr. De Censuris, No. 964 (1).

³ De Censuris 161.

that the faithful should offer up private prayers for the excommunicate of every sort; yet, without a special intention and application on the part of the former, no excommunicate, inasmuch as he is cut off from the Body of Christ, has a share in any of the private prayers and good works of Christians in general. It is different with the members, even sinners, who are in union with that Body and with Christ its Head.

3°. No excommunicate is included in the number of those for whom the Church through her ministers is ordinarily wont to offer prayer or sacrifice. Nor will she permit a *vitandus* to be so included. She no longer, indeed, forbids her ministers to include the *toleratus* in that number; but this, when done, must be by a special act on their part; since it is in virtue of her general permission to the faithful (ecclesiastics as well as laics), which they are at liberty to use or not, that the ministers of the Church admit such excommunicate to a share of the common suffrages which they offer in her name.¹

4°. All the excommunicate, from the very fact of their being under excommunication, and even though they should be in the grace of God, are excluded from any share in Indulgences. Since these are spiritual goods which the Church grants *immediately* to the faithful, who gain them by their fulfilling in person the prescribed conditions; and thus differ from such spiritual goods as the Church grants *mediately* (e.g. communication in prayers) through her ministers who act in her name. And whilst the Church allows her ministers to concede the latter spiritual goods to the *tolerati*, she has no intention of granting *directly* any favours to them.²

II.—CATECHUMENS.

Fr. Lehmkuhl says generally,³ that it is not only lawful, but an act of Catholic piety to offer the Holy Sacrifice for Catechumens whether living or dead. Most theologians are of the same opinion. Thus De Lugo (*De Euch. Disp.* xix. sect. x. 171–84), where we find: “Innocent III. . . . dicit pro illo qui, putans se esse baptizatum, absque Baptismo obiit, debere hostias et preces offerri.” And Lacroix, who says:⁴ “Putat Dicast. d. 2, n. iii., posse Missam offerri pro Catechumeno defuncto;” and who seems to adopt as his own an opinion he cites⁵ from Pasqualigo, qu. 158: “Si defunctus (sine Baptismo) fuisset adultus, et inter Christianos

¹ St. Alph. De Censuris n. 137. Lehmkuhl, Th. M. vol. ii. No. 883.

² See Lehmkuhl, n. 885. Gury. Ratisbon Edition, vol. ii., 964 (').

³ Vol. ii, n. 177. 3.

⁴ Lib. vi., p. ii. 29, 35. See Suarez Disp. lxxviii., sect. ii. 6.

⁵ N. 37.

educatus, qui praesumi posset esse justificatus per contritionem vel amorem Dei, licite offerretur pro eo.”¹

The Salmanticenses,² whilst they equally maintain the lawfulness of offering up Mass for Catechumens, make a distinction, the consideration of which may bear on our particular question. They say that the priest can only offer up Mass for Catechumens who are living, *nomine proprio et nomine Christi*, and not *nomine Ecclesiae*,—but for deceased Catechumens Mass can be offered also *nomine Ecclesiae*.

N. 60. Diximus in assertione sacerdotem posse offerre *nomine proprio, et nomine Christi* pro Catechumenis: quia quantum ad orationem publicam et oblationem totius Ecclesiae nomine faciendam, omnino servandam est, quod ipsa Ecclesia praescribit; tenetur namque sacerdos in hoc sicut in aliis, agere juxta ejus dispositionem et intentionem. Ecclesia autem non orat oratione

¹ Whilst treating of the deceased unbaptized, and not to leave out any class that might be thought to claim consideration with reference to our present question, I may be perhaps allowed, with all due submission, to express my individual opinion on a point which I have not seen come under the discussion of authors. It seems then there are solid reasons for thinking that sound theology would not peremptorily decide against the case of one who might be presumed, not without good grounds, to have died in the grace of God,—justified by the infusion of supernatural faith and charity,—even though amongst other points of *material* heresy, he erred on the doctrine and necessity of Baptism. There are, we know, many such heretics amongst Protestants in these countries; and if any Protestants can be deemed to be in only *material* heresy, they may be so on this point as well as on any other. Cardinal Franzelin has a very interesting note (Tr. de Div. Tradit. et Script. pp. 590-2), bearing indirectly on this matter, in which he quotes a passage from De Lugo (Disp. xii., n. 50, 51), who shows that all such as are in inculpable error as to the true Church, and are only *material* heretics on articles of Faith, and who yet acknowledge one true God, as Remunerator, and (if the explicit acknowledgment of this truth be necessary *necessitate mediæ*), also Jesus Christ, on the ground of authority—whether that of their own tradition, or of the Holy Scriptures,—are in a state compatible with the divine infusion of supernatural Faith, and that from such faith they may have contrition and charity, whereby they may be justified and saved. We give his own words for those to whom he refers: “Qui cum Catholica Ecclesia non credunt, dividi possunt in plures classes. Nam in iis aliqui sunt, qui licet non credant dogmata omnia Catholicae religionis, agnoscunt tamen Deum unum et verum, quales sunt Turcae et omnes Muhammedani atque etiam Judaei; alii agnoscunt etiam Deum trinum, immo et Christum, ut plures heretici.”

We have no intention of confounding the case we have contemplated with that of Catechumens. Besides other marks of distinction, there is this one: Catechumens believe on the direct authority of the Catholic Church; in the other case, it is not so. But here we must bear in mind the teaching of De Lugo and most of the great theologians, that the motive of the infallible authority of the Church does not enter into the essence of Faith.

² Dist. xiii. dub. 4, 58-61.

publica pro Catechumenis, nisi in die Parasceves, et in Missa Catechumenorum proxime baptizandorum. . . . Unde praescripto modo et limitatione se gerere debet in orando publice, atque in offerendo nomine totius Ecclesiae pro Catechumenis. Congruentiae autem ratio, ut sic disposuerit Ecclesia, potuit esse, tum ut ostenderet majorem amorem, et curam ad propria membra visibilia, nempe ad fideles baptizatos, et ad se ingressos per legitimam januam baptismi. Tum ut haec via magis provocaret Catechumenos ad baptismum celerius suscipiendum, ne scilicet existant privati publicis Ecclesiae suffragiis quae ad eorum salutem plurimum referre queunt."

But with regard to deceased Catechumens they say later on in the same n. 60 :—"Ecclesia Catholica indiscriminatim, et sine limitatione offert sacrificium Missae pro omnibus animabus existentibus in Purgatorio, licet Catechumenorum sint, ut recte observarunt Franciscus de Lugo lib. 5, cap. 4, quaest. 6, et Scortia lib. 12." They continue, n. 61 :—"Licet Catechumeni non sint visibiliter membra Christi ob non susceptionem baptismi, nihilominus jam invisibiliter sunt membra Christi propter internam dispositionem fidei, aut etiam charitatis. (Quoad) orationes, sive oblationes publicas, sive Ecclesiae nomine factas; concedimus (has) non debere a sacerdote fieri, nisi quando, et ubi Ecclesia praescribit. Quamvis quantum ad Catechumenos defunctos alia ratio habenda sit; cum Ecclesia illos non excludat a communi Missae participatione et oblatione pro animabus fidelium defunctorum."

For myself, (speaking with all due deference,) I cannot see any solid ground for this distinction, and I prefer a rule which I think, in a large and general sense, may be deduced from the more common teaching, and from most of the greater theologians, however various their opinions or mode of expression on some particular points:—a rule which appears to me to be in accordance (so at least I would fain think) with what Dr. Walsh lays down in his Article.¹

I formulate it thus: The priest as the representative of the Church can lawfully offer up the Holy Sacrifice *nomine Ecclesiae* for all those in whose behalf he may pray in the *Memento*, but he may pray *nomine Ecclesiae* in the *Memento*, for all those persons (together with all their lawful needs) for whom the Church offers public prayers at any time in her Liturgy, unless there be any special prohibition.

We must bear in mind that the priest as the representative of the Church ordinarily and normally offers up the

¹ I. E. RECORD, August 1883, vol. iv., pp. 486 et seq.

Divine Sacrifice only for all the faithful in her visible communion still living, and for the souls of all those who have died as members of her body, and who may hence be presumed to be in Purgatory. He is, moreover, empowered by the Church to impetrate specially in her name for particular persons, at his own selection, from among her faithful, living or dead; and these alone are, so to say, the normal objects of such selection for commemoration in the *Mementos*. But it is not unlawful for him to impetrate also in the name of the Church for any others in whose behalf she prays at any time in her public Liturgy, *e.g.* Catechumens, or Infidels; but such he must include by a special and explicit intention. It was formerly unlawful thus to pray for any of the Excommunicate, and all such still remain positively excluded from the ordinary impetration of the Church in Mass. But since the concession to the faithful at Constance, the prohibition against the priest including them, is in force only with regard to the *vitandi*. For these indeed he may pray in the *Memento*, but only as a private person, and not as the representative of the Church.

"Theologians are agreed," writes Dr. Walsh,¹ "that a priest may in the *Memento*, if he think fit to do so, divest himself of his representative character." "Respondetur," says Suarez, "quantumvis sacerdos gerat personam publicam etiam in illo actu, nunquam ita exuere privatam, quin possit ex sua intentione sub hac ratione orare pro excommunicato (vitando) *et non in persona Ecclesiae*."²

It is conceivable that it should be lawful in certain cases for a priest to offer up Mass *nomine Christi*, whilst, at the same time, it should be unlawful, and invalid also, for him to do so *nomine Ecclesiae*. I say it is conceivable, for the Salmanticenses, as we have seen, strenuously maintain this in the case of Catechumens who are living, and other theologians hold it, too, in certain other cases.

But there appears, *prima facie* at least, so evident an incongruity in the very statement of such a thesis, and so

¹ *I.e.*, p. 488.

² Perhaps the question I now put in passing, may serve to illustrate such private prayer in the *Memento*. Suppose some one who is living has been very specially recommended for prayer in Mass, and the priest had entirely forgotten it until he came to the *Memento* for the dead, I conceive that he could not here impetrate in the name of the Church for the needs of the living; but could he lawfully do so then as a private person, and with all the efficacy available for another, that belongs to the priest's offering of Mass *nomine proprio*?

many grave difficulties lie in its way, that one may well doubt whether a case of the kind could ever actually exist, and be glad to find any solid grounds for believing that it is only a hypothesis.

We may hold then with Fr. Lehmkuhl the general proposition, and without the distinction of the Salmanticensenses, that it is lawful to offer up the Holy Sacrifice for Catechumens living and dead.¹

III.—INFIDELS. (Unbaptized, including Jews, Turks, &c.)

Suarez and most theologians hold as certain that it is lawful to offer up Mass *directe et in particulari* for all Infidels still in life. And we have for this still higher authority. Benedict XIV.² speaking of the discipline of the Orientals who make a commemoration in their Sacred Liturgy of a king, even though he be an infidel, says with Bellarmine: “Nequaquam vetitum est *ex natura rei*, ut aiunt theologi, orare in Missa etiam pro infidelibus: quandoquidem Sacrificium Crucis pro omnibus oblatum fuit. . . . Res tota ex interdicto Ecclesiae est dimetienda. Certum est *ex natura rei*, si nulla sit prohibitio Ecclesiae, licere offerre pro hujusmodi hominibus; de infidelibus loquitur. Cumque hujusmodi prohibitio extet quoad excommunicatos adeoque quoad haereticos et schismaticos, non vero quoad infideles, qui excommunicatione non ligantur: hoc satis esse ait, ut de his commemoratio fieri possit in Missa, atque etiam pro his Sacrificium offerri. . . .”

There is, moreover, a Decree of the S. C. of the Inquisition, 12th July, 1865, in answer to the question: “Utrum liceat sacerdotibus Missam celebrare pro Turcarum aliorumque infidelium intentione, et ab iis eleemosynam accipere?” *Resp.* “Affirmative, dummodo non adsit scandalum, et nil in Missa addatur, et quoad intentionem constet, nil mali aut erroris aut superstitionis in infidelibus eleemosynam

¹ It might be a further question whether the Church does not implicitly include Catechumens in her ordinary impetration, since they are to a certain extent to be classed amongst her members, and in the number of the faithful. Suarez says: “Fortasse, quando fit oblatio pro universa Ecclesia, illi etiam comprehenduntur: sunt enim substantialiter (ut sic dicam) uniti Ecclesiae per fidem, quamvis nondum sint per Baptismum, vel characterem, Ecclesiae conjuncti.” Disp. 78., sect. ii. 6.

² Const. *In Superiori* 8 Martii, 1755. See note (a), Gury-Ballerini, Vol. ii., 349. We should note that while Ben. XIV., himself approves the assertions of those theologians he here quotes, he is not deciding the question, for he expressly says that he leaves the assertions in their own probability.

offerentibus subesse." Hence it appears that Mass may be offered to obtain for an Infidel according to his own intention any lawful temporal good, without a further intention on the part of the priest for the Infidel's conversion.¹

IV.—HERETICS AND SCHISMATICS (*non denuntiati*).

These, so far simply as their excommunication is concerned, are on a par with the rest of the *tolerati* with regard to the concession granted since Constance to the faithful of communication *in divinis* with such excommunicate.

Consequently, on the mere score of censure, all that we have observed as to the offering of Mass for the *non vitandi* will apply to such heretics and schismatics.

But those whom we are now considering have another mark attached to them besides excommunication, and that is heresy; and on the score of their *heresy*, the practical teaching of the Church prescribes to the faithful a very different conduct towards heretics *quoad communicationem in divinis*, from what they may practise towards other *tolerati*.

The Church has ever held communication with heretics *in divinis* to be generally illicit, since thereby nearly always injury is done to the divine or natural law, whether through the inherent risk of perversion, or danger of taking part in heretical or schismatical worship and rites, or on account of the peril and occasion of scandal. Hence the *S. Cong. de Propaganda Fide*, in an Instruction to Missionaries in the East, 1729, does not hesitate to assert:—

"Posse quidem *speculative* casus aliquos excogitari in quibus communicationem aliquam (cum haereticis et schismaticis) in divinis tolerare liceret; sed *practice* circumspectis omnibus facti circumstantiis difficillime casus inveniri in quibus ea communicatio licet."

And Benedict XIV. (de Syn. l. 6, c. 5, n. 2) teaches that hardly ever for most grave and urgent cause is it lawful for Catholics to

¹ Hoc Sacrificium ut impetratorium, says De Lugo, offerri potest pro quacunque re a Deo juste obtinenda, atque adeo non solum pro baptizatis, sed etiam pro rebus inanimatis, et pro expertibus rationis—So also Suarez: "Hoc Sacrificium, quatenus impetratorium est, absolute et sine limitatione est institutum, et cum qualibet justa oratione conjungi potest ut impetrandi efficaciam augeat." It is lawful, he says, to offer the Sacrifice for infidels *directly*, i.e., "quando offertur pro bono ipsorum infidelium vel spirituali, vel etiam temporali, vel in communi, vel in particulari, pro hac aut illa ratione, aut persona." See I. E. RECORD, vol. iv., p. 481.

receive Sacraments from heretics. And such we know is the general teaching of theology. It would appear then that this difference in the Church's practical teaching with regard to communication in *divinis* with the ordinary *tolerati* on the one hand, and with heretics on the other, is especially on account of the grave dangers which the faithful incur of violating divine and natural law.

What the *S. Cong. de Prop. Fide*, Benedict XIV., and theologians in general had specially in view was reception of Sacraments from heretics, and taking part in such other religious acts as are always fraught with danger to the faithful themselves of participation in heretical worship, and of perversion. But if there are any cases of communication of quite another kind, and from which no such danger could possibly arise, we may conclude that they do not come under the practical prohibition of the Church and of theology; and that consequently the faithful may use the liberty conceded to them since Constance with regard to heretics. Now such an act of communication in *divinis* is prayer, or the offering of Mass for a heretic. To pray, or to offer sacrifice in anyone's behalf (as De Lugo says in effect,¹) is in true ecclesiastical meaning, or technically speaking, to communicate with him in *divinis*: but such an act is communication only in a wide sort of sense, and, strictly speaking, is not so at all; and, as evidently from such acts no danger arises of participating in anything heretical, one can hardly think that it belongs to that kind of communication which, according to the teaching of the Church, is practically illicit.

Besides this general teaching of the Church, and of theologians, which relates especially to the sacraments and joining in heretical or schismatical rites, there are the restrictive enactments for mixed marriages, and the denial of ecclesiastical sepulture to all non-Catholics. But beyond these, I am not aware of any other general laws which derogate from the concession granted to the faithful of communicating with heretics, as with other *tolerati*. Theologians at least allow that there is no general positive law which forbids the Sacrifice of Mass to be offered for

¹ Disp. xix., sect. x., 190, 1. "Licet, stricte loquendo orare pro aliquo, vel offerre pro illo, non sit loqui cum illo, est tamen communicare cum illo, saltem in significatione latiori, sed vere ecclesiastica." . . . "Orationem publicam esse quoddam genus communicationis." . . . "Licet neutra (scil. neque sepultura, neque oblatio suffragiorum) sit stricte communicatio."

such heretics; and since the absence of positive prohibition is the main ground for maintaining the lawfulness of Mass being offered up for the *tolerati* at all, this will hold good also for its lawfulness in the case of non-Catholics.

There are indeed some important decrees that bear upon these questions, and these we will consider—

A, With regard to the *living* :

(a) In answer to the question: “*Utrum possit aut debeat celebrari Missa ac percipi eleemosyna pro Graeco-schismatico, qui enixe oret atque instet, ut Missa applicetur pro se sive in ecclesia adstante, sive extra ecclesiam manente?*” The Sacred Inquisition made answer: “*Juxta exposita non licere nisi constet expresse, eleemosynam a schismatico proberi ad impetrandam conversionem ad veram fidem.*” And this decree was approved by the Pope, Gregory XVI.

We see a marked difference in this decision and the one we cited above on the question of Mass for an Infidel. Fr. Kouings, before giving the decree regarding the Greek schismatic, had said:¹ “*Pro toleratis autem, per se probabilius licet (offerri Sacrificium Missa) . . . Dixi: per se, quia ratione scandali, e.g., si publice, i.e., aliis scientibus, fieret, id illicitum esse poterit; et hinc probabiliter S. C. Off. proposito dubio respondit.*”

Here we would make the following remarks:—

1. So far as can be gathered from the terms in which the two *Dubia* are expressed, we must suppose there was equal publicity or privacy in the one case as in the other; and consequently we have no right to assign this circumstance as the probable reason for the difference in the two decisions.

2. Amongst the conditions on which Mass is allowed to be offered for the Infidel, the first-mentioned is, “*dammodo non adsit scandalum.*” This seems to show that (irrespective of the circumstance of publicity or privacy,) no scandal was considered as naturally to be apprehended from such offering.

3. If the reason for the negative decision in the case of the Greek schismatic was, that the offering of the Mass would be illicit, “*juxta exposita,*” *ratione scandali*; then danger of scandal was to be apprehended from such offering *per se*, and irrespective of publicity or privacy.

4. We must, however, bear in mind that the question proposed is not: “*Is it lawful or not to offer up Mass for such or such Greek schismatic?*” But, is it lawful to do so for one who, *juxta exposita*, himself specially makes the request, and moreover couches

it in terms, or suggests conditions, which would indicate that he is conscious of being under excommunication, and aware of its pains, and hence, so far, is *mala fide*. So the answer is: "*Juxta exposita*, non licere, nisi constet," &c. For, if his request were acceded to without the condition appended, he might receive scandal and be strengthened in his schismatical errors.

5. There might, we think, be generally some danger of scandal to a non-Catholic for whose intention Mass should be offered at his own request, unless some reference or suggestion were made to him as to his own conversion; for he otherwise might thence infer that the priest in some way recognised or tolerated his religious status, and thus he might form to himself a new sanction for his wrong position and for his errors. This would the more hold, we conceive, the nearer anyone's religious position seemed to approximate to the Catholic Church—*e.g.* that of a high-Church Anglican or Ritualist. In the case of an Infidel or Turk there would be no fear of such sort of scandal.

6. What I have said has force so far as the Mass is offered up even privately. But if the Mass were public, that is, if others knew of the intention for which it was offered, *viz.*, for a non-Catholic,—this would generally be an occasion of scandal or marvel to the faithful, whilst other non-Catholics might thence receive very false notions concerning the Church's toleration of Christian religionists out of her communion. Whereas in the case of Mass being publicly offered up for a Heathen or a Turk, no such risk of scandal, or not at all in the same degree, or of the same kind, would occur; since the Heathen and Mahommedan religions are so manifestly unchristian that any sort of compromise between them and the Catholic Faith is inconceivable. From the foregoing consideration I should hold that there would be less difficulty in saying Mass for the intention of a non-Catholic, at the desire of a Catholic, than at his own request. All along I am supposing the intention to be some other than that of conversion to the Faith, and irrespective of conversion: for, of course, if together with the particular intention were joined that of conversion, there would be no difficulty in the way.

It appears to me then, that from the Decree of the S. Inquisition, no general prohibition can be drawn against saying Mass for the intention of non-Catholics; but that thereby it was decided to be illicit to do so in the particular case, *juxta exposita*, without the fulfilment of the condition appended.

(b) There is, moreover, a prohibition on the part of the Church with regard to heretics and the celebration of Mass in the case of mixed marriages; and this affects the Catholic party also in the mixed marriage.

Protestants and all non-Catholics are subject to this

prohibition from a double title. 1st, because they are *excommunicati* (that is, if I am right in supposing that the decision of the S. Poenitentiary, 10 Dec., 1860, on this matter is applicable to all public and notorious excommunicate *non vitandi*).¹ 2ndly, because they are *heretics*.²

Hitherto we have been considering the laws of the Church with regard to the lawfulness of saying Mass for non-Catholics who are *living*. We must now see what she may have enacted—

B. with regard to *deceased* non-Catholics.

There are two Briefs of Gregory XVI., 13 Feb., 1842, and 9 Jul., 1842; in the latter he says: “Non sufficere, ad cohonestandum *publicum* funus quod pro a catholica persona nominatim postulatum est; et in ejus obitu aut annua die celebratur, si hoc fiat cum intentione divinum sacrificium seu alias preces offerendi pro defunctis ex universa illa familia de se catholica. Nec enim permittere possumus, ut ullo modo fraus fiat prohibitioni illi, quae in Catholica ipsa doctrina innititur de sacro funere pro defunctis acatholicis non celebrando.” Then, again, there is the Decree of S.C.R., 23 Mart., 1859, in answer to the question: “An licet in die anniversaria obitus principissae ad protestanticam sectam pertinentis celebrare Missam in levamen defunctorum regiae familiae? *Resp.*: “Non licere, et detur exemplar Epistolae in forma Brevis S. M. Gregorii XVI., 9 Jul., 1842.”³

But these prohibitions, authors affirm, do not affect the question as to the lawfulness of saying Mass for deceased non Catholics, *per se*. Nay, we might argue that, since this question is virtually contained in the *dubium* proposed, and the S. Cong. passes it over, the principle is tacitly admitted as *not unlawful*. What is condemned in the Brief is the *fraud* used for justifying the countenance of the Church to a *public* funeral of non-Catholics,—contrary to her constant teaching that such are not to be buried with ecclesiastical rites.

Fr. Lehmkuhl, referring to the same Decrees, says: “Relate ad *omnes*, qui absque unione externa cum Ecclesia defuncti sunt, prohibetur omnis Missae celebratio seu applicatio *publica*: ut habes ex Brevis, Greg. XVI., &c.” He then

¹ See Gury. Ratisbon Edit., vol ii., 960. 2° (1.)

² See Gury. Ratisbon Edit., vol. ii., 829 (1); and Gury-Ballerini, *ibid.* (a.)

³ See Gury, Ratisbon Edit. 964 (').

adds: "At si probabilia signa sunt, defunctum bona fide atque in gratia divina ex hac vita migrasse, occulte seu privatim sacerdos pro tali defuncto in particulari celebrare posse videtur."¹

We have now surveyed the whole field which theology covers when treating of the Sacrifice of Mass being offered up for those who are outside the visible communion of the Catholic Church; and the opinion we are led to form with regard to heretics and schismatics is:

1. That it is lawful, *per se*, because no law forbids it, to offer up Mass *directe et in particulari, nomine Christi, et nomine Ecclesiae* for all such as are living—and also for those deceased, whose souls may be presumed to be in purgatory.²

2. But since the public celebration of Mass for non-Catholics is likely to be generally an occasion of scandal, Mass when offered up for any such, should be said *privately* (in the sense this term is commonly understood); whereby I do not mean absolutely privately, so that the Priest alone is privy to it; but known to a few only, and to whom there is no danger of scandal:—"Publice, i.e. aliis scientibus, Sacrum applicare pro toleratis, illicitum existimamus ob periculum . . . Quod quidem *a fortiori* asserendum erit quoad Missas pro iis offerendas qui sectae heterodoxae nomen dederunt."³

In the case of the *Dead*, this privacy is always certainly obligatory on account of the positive enactment of the Church.⁴

3. It might sometimes, on account of circumstances, be unlawful *ratione scandal*i to say Mass even privately for the intention of a non-Catholic.⁵

Father Lehmkuhl, after saying that it appears to be lawful to say Mass for a deceased non-Catholic, adds:—"Specialem autem Missam de Requiem potissimum cum speciali oratione pro hoc defuncto fieri, mihi non probatur, siquidem haec nunquam non publica actio est."

Here I may perhaps be allowed to give my own individual thought. I have always held that if a Requiem Mass were said for a deceased Protestant, the priest should not use any prayers which the Church has appropriated to her own individual Faithful, and their special circumstances, those *c.g.* proper for an Anniversary,

¹ Vol. ii., 175, iii. 2.

² See Lehmkuhl, vol. ii., 176. iii. Gury, Ratisbon Ed., 964 (').

³ Gury, ut supra. ⁴ Lehmkuhl, l.c. ⁵ Lehmkuhl, l.c.

or for *Dies Obitus*, nor should he insert the name of the deceased; nor again, if he prays in Mass for a deceased Protestant parent, should he use the prayer *Pro Patre vel Matre*. Since, though the deceased is presumably in the number of those in Purgatory, and consequently is an object of the suffrages of the Church, yet we must remember that he died outside her visible communion, and that his soul is not reckoned amongst the Faithful Departed, to whom alone her special prayers are appropriated. I am, however, inclined sometimes to doubt whether this is a solid argument.

I am unable to follow Fr. Lehmkuhl in the reason he gives for his opinion, "*Siquidem haec, &c.*" If by "*publica actio*," he means *publicly* as opposed to *privately*, in the sense I have taken, and frequently explained, this latter term, and as I thought he himself understood it three lines before, "*occulte seu privatim*," then I fail to see how there must needs be *publicity* simply through the use of a special prayer in a Low Mass said perhaps in an almost empty church, or in a private oratory. But if by "*publica actio*" is meant the act of a public person, *i.e.*, *nomine Ecclesiae*,—then the restriction he makes would seem to be applicable to the whole Mass, for as he had said in the preceding paragraph, "*Sacerdos in celebratione semper personam publicam agit.*"

Perhaps what, as we have already explained, the Salmanticenses say with regard to Mass for deceased Catechumens may serve to illustrate this point. "*Ecclesia Catholica indiscriminatum, et sine limitatione offert sacrificium Missae pro omnibus animabus existentibus in Purgatorio, licet Catechumenorum sint. . . . Orationes, sive oblationes publicas, sive Ecclesiae nomine factas concedimus non debere a sacerdote fieri, nisi quando, et ubi Ecclesia praescribit.*"

There are also some words of Suarez¹ from which an analogous argument might be drawn. After affirming that Mass may be offered up for Infidels *directe et in particulari*, he says: "*Nulla est prohibitio nominandi etiam personam, dummodo excommunicata non sit. Erit tamen consultius et consuetudini Ecclesiae magis consentaneum, nunquam expresse nominare personam aliquam infidelem ita ut ab aliis audiri possit, ne fortasse scandalum aliquod aut admirationem ingerat.*"

We have now but one more word of theology to offer. Should a priest be asked by a Catholic to say Mass for a Protestant, and doubt whether he can do so; he may fall back on a principle which De Lugo suggests in the following words when treating of Mass offered for the unbaptized:—²

"*Impetratio non respicit immediate personam cui confertur*

¹ Disp. 78, sect. ii, 8 ad fin.

² Disp. xix., sect. x., 179.

beneficium, sed illam quae postulat . . . Quamvis ergo immediate non possit offerri pro non baptizatis, quia ipsi capaces non sunt hujus sacrificii, poterit offerri pro baptizato, qui postulat, tanquam beneficium proprium, illud quod non baptizato confertur."

That is, as I understand the words applied to our case, the priest may say: "I will offer up the Mass for the intention you ask me."

There is yet a question which we do not discuss, but which we simply ask: Can a priest licitly make the intention of applying the Indulgence of a Privileged Altar to the soul of a deceased Protestant presumed to be in Purgatory, and in whose behalf he says Mass? If not, would such an application be valid? Or can any of the faithful apply Indulgences to the soul of such a one? To my mind there are reasons *pro* et *contra*, but not having sufficient grasp of the matter in all its bearings, I am unable to decide.

I will conclude by narrating an incident relevant to our question, and which is within my own personal knowledge. Some now twenty years ago a lady addressed a priest in a Church, somewhere in England, thus: "Sir, I am a Protestant; but would you kindly say Mass for my deceased Protestant mother, who was always a good pious woman?" at the same time she offered a honorarium for the Mass. The priest acceded to her desire. Twice again, after short intervals, she made a like request. On the third occasion the priest said: "It is strange that you, a Protestant, should have such faith in Holy Mass. Surely you ought to be a Catholic." After some further conversation she consented to come to him for instruction,—and he had soon the happiness of receiving her into the Church. A person of some means, she lived several years until death, a very self-denying and devout life, devoting her money largely to works of charity and piety, especially alms-giving to the poor, and bequeathed a considerable sum to her parish priest for Masses for her own soul.

THOMAS LIVIUS, C.SS.R.

PLAIN CHANT FOR "INCURABLES."

(AN UNDELIVERED LECTURE.)

IN addressing the following remarks to as numerous and influential a body as the Incurables of this country, I feel more than the ordinary responsibility of a Lecturer on Plain Chant. For, first, I am reminded by the venerable faces before me, that some of my remarks will not improbably apply, or seem to apply, to those whose age and exalted station shield them from the ordinary impertinences of youthful lecturers, and whose virtues and talents I prize as much as I regret their musical shortcomings; while beyond these aged leaders I see the vast crowd of middle-aged and junior clergy—the latest recruits to the ranks of the Incurables, strong in voice, and invincible in their ignorance of its use, the "fortiter peccantes," whose wrath I well may fear to rouse, and whose fellowship, in all but the matter of this lecture, I am so proud to claim. Such an audience might expect from me language carefully cleared of everything savouring of intemperate zeal, or unchastened criticism. But, Gentlemen, I am not going to mince matters. The case is too desperate to allow of namby-pamby treatment. Many of you have, during your long and honoured lives, been the sorrow of every lover of chant in your neighbourhood. You have, some of you, to account for half a century of choral offices, ruined by your well-meant efforts. You have gone through those offices, unshaken in your own self-confidence, unwarned by the frowns and hints of your afflicted brethren; and it is time, now, that you should hear the truth.

And you, Gentlemen, of younger years and lustier lungs, what you have already done is pledge and promise of what you yet may do. You joined, in College, the ranks of the Incurables,¹ and have served in those ranks with distinction ever since. The *Ite, Missa est* of your diaconate was your declaration of war against all the decencies of sacred chant. At the altar your "Preface" and "Pater Noster" have been—"optimi pessima perditio"—a subject of hilarity in the holy place, and of an amused rehearsal

¹ I wish here to enter my protest against the establishment in any College of a class of "Incurables." Experience has shown me that there are very few voices that will not attune themselves, after a bit, to the ringing around them. Segregating weak voices and faulty ears into one class is the sure way to make them incurable.

outside, in which you sometimes have not blushed to join. In the choir your youth and power tell with greatest effect, in demolishing office after office, and, above all, in beating from off the field the champions of reverent psalmody and tutored and intelligent song. He knows nothing, Gentlemen, of ecclesiastical chant, who affects to despise your power. Youth and strength are on your side, and "big battalions." You have scored too many victories in the past not to be hopeful for the future. Your "*hostia vociferationis*" has not been rejected so far: shall it be rejected now—and by a handful of *Cecilians*? Never! I hear you answer: and, Gentlemen, perhaps you are right. The mighty song of the Incurables will, in our time, never be ended. Can it be *mended*?

That brings me to the very important question: Is there any good in my lecturing Incurables? At a suburban watering place, not unfamed, by the way, for wit, appeared once, over the door of a newly-erected hospital, the strange device: "Convalescent home for Incurables." In a few days, amid the laughter of the neighbourhood, the device was painted out again. But why? Must indeed the scroll, "Hope enters not here," make an *Inferno* of every Incurable's home? Cannot the patient hope to get better without expecting to get well? I think he can. It is, Gentlemen, because I think Incurables need not of necessity be Unbearables, that I have ventured on this lecture-lesson. I do not hope to cure you; but I can care you, and you may improve a little in my hands, and be somewhat less of a cross to those who regard you, and whom you regard. At any rate, I am honest with you: yours will not be the cry:—

"O would some power the giftie gie us
To see ourselves as others see us!"

("to hear ourselves as others hear us," would not be rhyme!) You may see and hear yourselves as you are seen and heard by others: *that*, at least. If you hear me to the end, you may also learn something that may make the censure of those "others" less severe; and, above all, warned now of your failing, you will, as is expected by those who know your ecclesiastical zeal and virtue, turn more than a passing glance at that portion of the divine ministration in which you have so much room for amendment, and so much need for reparation.

Now, Gentlemen, I am not going to insult you with Do, Re, Mi, Fa. That would show a want of respect and

consideration for your Incurable condition. Besides, to let you into a state secret, far the majority of those who would scout the company of Incurables know nothing, or next to nothing, of Do, Re, Mi, Fa! You just try, the next time one of these singers taunts you, as is their wont, with your ignorance. Just throw Do, Re, Mi, Fa, at him, and I think he will very probably let you alone. *Half*—I believe I might say much more than half—of our accredited clerical chanters cannot as much as read the simplest Gregorian piece put before them. They sing "by ear," and the notes come in as reminders more or less vague; but they no more *read* them than a child could be said to read, who had learned the words of "The Minstrel Boy," and could show the corresponding lines on the printed page. I should not, Gentlemen, care to confess what I believe to be the percentage of "musical" priests in this country who could spell out a single phrase of Gregorian which they had never heard. And the smallness of that number is all the more surprising when you know that in one half hour a man with an ordinary ear and ordinary intelligence could learn enough theory to enable him to read Gregorian notation for his lifetime. He will not know all about "modes" and "tones"—that would take a few more half-hours; but he will have learned enough to read, with absolute certainty of being right, any piece in all the missals and vespersals in Christendom. Were you not Incurables, Gentlemen, I could teach you that much in less than half-an-hour. But as I cannot so teach you, I offer you this comfort in your ignorance, that you are not a whit worse off in this matter of Do, Re, Mi, Fa, than most of your curable brethren.

Now, Gentlemen, we come to the practical part of this short lecture. I am trying, you see, to build your musical edifice on the foundations of humility, and I know you have taken in good part what I have said, with honest plainness, about the evil you have done and may yet do. Cease to do that evil, and learn now to do well. What can you do well? Incurables cannot sing well; but they can *read* well. The words of the Church's Liturgy are more than the music to which they are set. Whatever goes, the words must not go: *verba mea non transibunt*. And hear, Incurables, with glad hearts, the first great rule of ecclesiastical song: *Sing as you read*. If you read the sacred words with reverence and intelligence, so that their grace and power are not lost on

those that hear you—if you *read* thus you need not trouble much about the singing: you are welcome to join in any psalmody that I may have in charge. Some of you do so read; and I have heard, amid the confusion of striving and contentious voices, your voice, my venerable friend, alone clear, and reverent, and intelligible—alone seeming to lay more store by the words of the Spirit of God than by the lustiness of your lungs. You are, old Incurable though you be, teaching those loud and fast-tongued brethren the first lesson of ecclesiastical chant: *Sing as you read*. Mass begins, and you chosen for your dignity, be it confessed, and not for your voice, are the celebrant. You read at the missal—

“Dies iræ, dies illa,
Solvat sæclum in favilla,
Teste David cum Sibylla.”

Well may you wonder to hear how very differently these words are *sung* in the choir—

“Dies iræ, dies illa-a a,
Solvat sæclum in favilla-a-a,
Teste David cum Sibylla-a-a.”

Your turn comes at the “Preface.” The many “singers” are silent after thunderous responses, and the voice of the Incurable alone is heard. You don’t much mind which “Preface” is open—the words are all you look at: your notes will be the same whatever is before you. But, oh, what a comfort to hear you! Every word distinctly enunciated, not an accent misplaced; every phrase given without dislocation, and with the meanings left untouched by your poor wandering notes: criticism silent, and piety at last awakened! We wait for the “Pater Noster;” again what notes you *sing* are not and never were in any missal in this world; but the words you *read* go home to hearts as notes never could; and the only part of that “Pater Noster” that I would not care to hear again is the choir’s “*Sed libera nos a malo.*”

You have heard, Gentlemen, no doubt, in the vague way in which men hear news in which they consider they have no interest, that a move is being made for the revival and practice of Plain Chant. One practical evidence of that movement is this, that you have been asked to part with your old copy of the “Exequiae,” and to get the new handsome edition just given to the Irish clergy by the President of Maynooth. Now, in what does the new surpass the old, and why should I ask you, as I earnestly do,

to procure, if you have not already procured, the new book, and lay aside the old? I will tell you. You know the look of those black square notes that you meet in this and in every liturgical book. You may have remarked that some of those square notes have lines or "tails" erect or dependent. Well, these *tailed* notes are the long or accentuated notes, and show that the syllables to which they belong are those on which the reading accent falls. In this they are like the accents placed over the text of your missals and breviaries. Now, in the old Exequiae book, these tailed notes were placed very often over the syllables on which no correct reader would lay the accent. In the new book these tailed notes, or accent notes, are made to correspond with the accentuated syllables.

The version in the old notation is:

Dies iræ, dies illa
Solvat sæclum in favilla
Teste David cum Sibylla.

In the new we read:

Dies iræ, dies illa,
Solvat sæclum in favilla,
Teste David cum Sibylla.

That is to say, the main advantage of the new book is, that the notes in it help you to *read* correctly, while in the old book they did not, but rather led you to put the accents in the wrong place. I tell you that, Gentlemen, not because you will look much at the notes, even in the new book; but because the change made points to the importance of this first and greatest rule of plain chant, *Sing as you read.*¹

The next rule I would give you (I am choosing such rules as suit *Incurables*) is *keep together*. I need not tell you that no prize awaits him who is "first in" at the end of a psalm-verse; nor is he more deserving whose drawling piety keeps him behind the rest. The choir is a place for the practice of every Christian virtue. Humility will prevent that ruinous ambition of being first in the race — or, rather of making a race, that one may be first in it. Piety will suggest such a reverent reading of the words as will make it easy for the singers to hear one another; and charity will rejoice at the unity of voice and heart of those who chant the Divine praises together. *Listen* while you sing, especially you, *Incurables*; by doing so you will come

¹ Cantabis syllabas sicut pronuntiaveris. Guidetti. *Directorium Chori*.

to know how fast or how slow your neighbours are singing, and you and they will keep together.

Again, *sing gently*. How many an office would have been saved, had Incurables kept that rule! By gentle singing, your untaught and, as we suppose, unteachable voices, will insensibly assume the pitch and tones of the others, and will not, at any rate, lead them astray and spoil their singing and their tempers. You may be as distinct as you like, the more so the better; a well-articulated whisper travels farther with its word-burden than any amount of shouting. Besides, gentle singing is very seldom nasal. The voice does not go into the nose unless forced there, and we all know what it is to hear singing or reading through the nose. Lip service may be condemned; but it is piety compared to nose service! Avoid, then, these trumpetings by singing gently.

Well, Gentlemen, I have kept you long enough, and have, I am sure you feel, lectured you sufficiently. Remember those three simple rules; they are sufficient for Incurables—*Sing as you read. Keep together. Sing gently*. If you sing thus, the chant of the Incurables will cease to be a sorrow to those who hear, and will be, by reason of its humility and earnest care, a song, weak and harsh perhaps on earth, but strong and harmonious in heaven.

A. RYAN.

“CATHOLIC PHILOSOPHY AND THE ROYAL UNIVERSITY PROGRAMME.”

WE were all prepared for Dr. McGrath's pamphlet¹ by the article which he published in the RECORD a short time ago. We expected much; and the highest hopes have not been disappointed. The gifted writer shows the same grasp of the question at issue, the same power of clear statement, the same calm moderation; whilst his views are advocated with even greater force of reasoning, and his present subject supplies a much larger field for the display of extensive and accurate reading in Philosophy.

The question which he discusses is this: “What form of programme in the department of Philosophy at the Royal University would be, all circumstances considered,

¹ Catholic Philosophy and the Royal University Programme. By the Rev. Thomas McGrath, D.D., Holy Cross College, Clonliffe. Dublin: M. H. Gill and Son.

the best calculated to protect and promote the great Catholic interests here at stake?" He asks no favour for Catholics; he wants but a fair field; and he is confident that, on these conditions, the students of our colleges will give as good an account of themselves in Philosophy as they have given in the other subjects.

Very little consideration is required to convince one's self of the difficulty of the question. A slight acquaintance with the works of Mill, or Bain, or Spencer, will show how totally different their Philosophy is from ours. The matter is different; so is the manner of treatment; but particularly so is the terminology. Take up any of the leading reviews, read one of the philosophical essays, and, except you are an expert, you will soon be lost in a maze of words. How many fairly well-instructed readers can follow the philosophy of even "Daniel Deronda?"

I am not now concerned with apportioning blame; it is no matter whose fault this may be; we are dealing with facts; and it is an admitted fact that the two systems are almost as different as two distinct sciences. The difficulty of finding a programme which shall give each a fair field and no favour is to be measured by the difference between the systems themselves.

There are three questions to be considered: The programme, the examination papers, and the prizes. The first two are discussed very fully in Dr. McGrath's pamphlet. He is engaged for the most part in pulling down; and so indeed every true reformer must begin, nor is it the duty of a private individual to propose a working system. Nevertheless, Dr. McGrath contributes most valuable suggestions as to what we should try to set up again.

That some reform was needed has been acknowledged even by the Senate, for they changed the programme at their last meeting. It does not come within the scope of this notice to inquire how the change will work; Dr. McGrath published his pamphlet before the change, and must have very largely contributed to bring it about.

He brings two grave charges against the old programme; that it was incomplete, and that it was anti-Catholic. Let us see how they are sustained.

And first, was the programme incomplete? Philosophy is divided into four great branches; Logic, Metaphysics, Ethics, and History of Philosophy.

LOGIC.—Here, of course, at least in Formal Logic, the Catholic and non-Catholic systems do not differ so much as they do in other branches of Philosophy. Yet they

differ most materially. Catholics lay special stress on Truth and its criteria; non-Catholics on Induction and its Methods. The University programme provided pretty equally for both, if the examinations were fairly conducted.

METAPHYSICS.—Catholic Philosophers divide this subject into four branches: Ontology, Psychology, Cosmology, and Natural Theology. Let us take them in order.

Ontology.—The University programme was sufficiently complete; we shall see further on whether the examiners have been equally fair.

Psychology.—Here the programme was very imperfect, as indeed might be expected. For, on the one hand, those psychological works which non-Catholics usually study, do not pretend to deal with the subject as Philosophy; they treat of phenomena. Thus, for instance, Mr. Sully tells us in his “*Outlines of Psychology*”¹—outlines, by the way, which cover 700 pages—that “what mind is in itself as a substance is a question that *lies outside psychology, and belongs to philosophy.*” Catholics take a very different view; they teach not only that the soul is a substance, but that it has distinct faculties; and they devote a very considerable part of their text-books to an explanation of these doctrines. The Senate drew up a programme which was to satisfy both parties; the result is shown in the following table. Terms expressing mere operations are of course omitted in both columns.

PSYCHOLOGY.

CATHOLIC PROGRAMME.

UNIVERSITY PROGRAMME.

I.—DYNAMOLOGY.

Faculties of the Soul in general.

The Vegetative Faculty.

The Sensitive Faculty:

(1) External.

(2) Internal (The Common Sense, the Phantasy, the Estimative, the Memory.)

The Intellectual Faculty:

(1) The Active Intellect.

(2) The Possible Intellect.

The Appetitive Faculty:

(1) The Sensitive Appetite

(2) The Intellective Appetite or Will. The Freedom of the Will.

(3) The Locomotive Faculty.

Appetite.
Will.

{ Their chief characteristics and relation to other Faculties and mental Phenomena.

¹ p. 1.

II.—ANTHROPOLOGY.

CATHOLIC PROGRAMME.	UNIVERSITY PROGRAMME.
Simplicity of the Human Soul.	Simplicity of the Human <i>Mind</i> .
Spirituality of the Human Soul.	
Unity of the Human Soul.	Nature and Properties of the
Substantiality of the Human Soul.	Human <i>Mind</i> .
Essence of the Human Soul.	
Union of Soul and Body.	Mutual relations of the <i>Mind</i>
Mode of Union of Soul and Body.	and Body. <i>Mind</i> , Matter, and
Consequences of the Union of Soul and Body.	their different Modes and
Human Personality.	Qualities.
Seat of the Human Soul.	
Origin of the Human Soul.	Immortality of the Human
Immortality of the Human Soul.	<i>Mind</i> .

Cosmology.—Here again the University programme was deplorably defective. It is needless to dilate on the importance of this branch; it embraces many, if not most, of the great questions of the day. And yet read this table:—⁽¹⁾

COSMOLOGY.

CATHOLIC PROGRAMME.	UNIVERSITY PROGRAMME.
Constituents of Bodies.	
Essence of Bodies.	
Properties of Bodies	
(Extension, Impenetrability, &c.).	Mind, Matter, and their different
Life and Living things.	Modes and Qualities.
Laws of Nature and Miracles.	
Creation (Special Reference to difficulties from Geology and from Evolution).	
Origin of Evil.	

How charmingly vague that reference is to “Matter and its different Modes and Qualities,” especially in relation to Mind!

Natural Theology.—This most important and extensive branch of Metaphysics is considered by Catholics most worthy of their study. They make perfect happiness consist in the knowledge and the love of God. The Beatific Vision is the heaven of the supernatural; but if we had never been raised to the higher state, we might

¹ All the tables, except this, are drawn up by Dr. McGrath.

still merit a natural paradise in which Philosophy should supply for the *lumen gloriæ*. To know God would still be "bliss enough." Hence, the space devoted to this great subject in Catholic text-books. On the contrary, it must be said to our shame that the Royal University, founded by a Christian government for a Christian land, had not even once mentioned the name of God in its programme of Philosophy. And this was supposed to satisfy the Catholics of Ireland!

Ethics.—According to Professor Bain, two "questions"—'The standard (or what does virtue consist in?), and the Psychology of our moral nature (or, what is the power or faculty of the mind which discovers and enforces virtue?)—almost entirely exhaust modern Ethics.' When the reader learns that this writer, usually so diffuse, disposes of these two questions in 25 pages, and then devotes the remaining 290 pages to 'a full detail of all Ethical Systems, ancient and modern,' he may find it hard to resist the conclusion that in 'Modern Ethics,' as conceived by Professor Bain, the historical element predominates somewhat alarmingly over the ethical."¹ It was surely a question of some nicety how to draw up a common programme for Catholic students and for Professor Bain's pupils, which should provide a fair field and no favour for either party. Here is how the Senate succeeded:—

ETHICS.

CATHOLIC PROGRAMME.	UNIVERSITY PROGRAMME.
<i>General Ethics.</i>	<i>General Ethics.</i>
The last End of Man.	
Human Actions; their nature and conditions (Voluntariness and Liberty): Impediments to Voluntariness and Liberty (Ignorance, Concupiscence, Fear, and Violence), Imputability of Human Actions; their merit and demerit.	Various sources, occasions, and causes of human action, and their mutual relations; Pleasure, Pain, Aversion, the Affections, &c.
Morality of Human Actions; its nature, ultimate criterion, sources (object matter, circumstances, and end). Faculty by which morality is apprehended.	<i>Theories</i> concerning the nature, source, and criteria of Morality.
	<i>Theories</i> of the nature and origin of Moral Judgment and the Moral Faculty.

¹ Dr. McGrath, p. 21.

ETHICS.—*continued.*

CATHOLIC PROGRAMME.

General Ethics.

The Eternal Law, the Natural Law, its nature, existence, immutability, evidence, sanction, obligation, &c.
Positive Law, its nature, necessity, obligation, &c.
Conscience; its nature, kinds, rules, &c.
The habits, Virtues, and Vices.

Special Ethics.

Ethics of the Individual. Duties of Man towards God, towards others, towards himself [including such questions as Religious Worship, Liberty of Thought, Self-defence, Suicide, Veracity, Homicide, Duelling, Contracts, &c.]

Rights of Man in general; their existence, inequality, defence, &c.

Rights to the possession of material goods.

Ethics of Domestic Society. Marriage, its nature and properties.

Duties of Parents, Masters, &c.

Ethics of Civil Society. Nature, origin, and end of Civil Society. Civil Power, its origin and functions (legislative, executive, and judicial). Forms of Government, Subjects and their Rulers, &c.

Ethics of International Society [Including such questions as War, Conquests, &c.].

UNIVERSITY PROGRAMME.

General Ethics.

Moral obligation; its ground.

Conscience; its Nature, and Functions.

Exposition and Classification of the Virtues.

Leading Ethical Systems of Ancient and Modern Times.

Exposition and classification of Duties.

After examining these tables, few Catholics will deny that the University programme was incomplete. Accordingly, Dr. McGrath's first charge has been sufficiently proved. But there is a second and more important count; he complains that the programme is decidedly

anti-Catholic. Let us see what evidence there is of this.

Everyone knows something of the famous medieval controversies between Nominalists, Conceptualists, and Realists, and how moderate Realism triumphed in the end. It is the fashion of our day to make little of this "word-war," though in reality most important doctrines depended on the issue. By the very fact of calling it a "word-war" we ourselves take a side, and the wrong one; and so also did the Royal University. Examine this table:—

ONTOLOGY.

CATHOLIC PROGRAMME.	UNIVERSITY PROGRAMME.
Truth.	Truth, <i>Formal</i> and Real.
Necessary Truths.	Necessary <i>Beliefs</i> .
Being.	<i>Notion</i> of Being.
Existence.	<i>Conception</i> of Existence.
Essence.	<i>Conception</i> of Essence.
Substance, &c.	<i>Conception</i> of Substance, &c.

"And so the list continues, no fewer than *twenty-three* terms being introduced by the phrase 'conception of,' expressed or understood. In this way the science of Real Being is reduced to the science of Ideal Being; in other words, Ontology is effaced, and a kind of Ideology is substituted in its stead. Thus are things made easy for philosophers who are unable to solve the so-called problem of the bridge."¹

Again, just turn to the programme in Metaphysics already given. In Dynamology Catholics treat of the soul's *faculties*; Royal University students were asked to study *phenomena*:—

- "Enumeration and Analysis of Psychical phenomena.
- "Laws of Mental Development and association of Mental phenomena.
- "Appetite; the will; their chief characteristics and relation to other faculties and Mental phenomena."²

So the programme goes on. How could it be otherwise when the soul is not mentioned throughout? It is always the *mind*; it is even the *mind* which is simple and immortal. The omission of that one little word "soul,"

¹ Dr. M'Grath, p. 11.

² University Programme.

is in itself damning evidence of an anti-Catholic tendency. Hear Dr. M'Grath:—¹

“It is time to ask the question plainly: why do so many recent non-Catholic philosophers seem to abhor so utterly the word soul? The reason is not far to seek. The term ‘soul’ does not connote any special faculty, operation, or phenomenon; it represents formally and explicitly the substance of the animating principle—the idea of substance is the first which it calls up, substance being the first element of its essence. Now, all these philosophers are agreed in denying, or ignoring, or explaining away the substantiality of the soul. Hence their detestation of the term.

“On the other hand, Mind distinctly connotes Intellect. Any dictionary would supply us with that information, if we required it. ‘Popularly,’ as even Mr. Sully admits, ‘a man of Mind is a man of Intellect.’ Does it embrace in its comprehension the attribute of substantiality? It is unnecessary to discuss the abstract question; Phenomenists and others with whom we are here chiefly concerned, are unanimous in holding that it does not. In the Cartesian and kindred Philosophy, an attempt is made to set up Mind as a synonym for soul; in Phenomenal Psychology it is sought to identify it with a *substanceless* soul. Cartesians would employ both terms indifferently: Phenomenal Psychologists would rigorously proscribe the one, and exclusively employ the other.

“Under such circumstances, is it not a painful and ugly fact, that never yet within the Philosophical jurisdiction of the Royal University has the word ‘soul’ been put in type?”

The tables already given, clearly show how many important branches of Catholic Philosophy were excluded from the programme. On the other hand, how were non-Catholics treated? Had they also to deplore the absence of questions which they consider essential? One would expect so much, as the Senate acted on the principle of give and take; but it was non-Catholics who took all that we gave.

And here it may be asked how any question, which is of importance to us, can be of little consequence to non-Catholics? Can one make no account of the strong points of an adversary? Everything of importance is

¹ P. 19.

fair matter of controversy, and to every controversy there must be two sides.

The reply is not difficult. In the first place, it is not impossible to overlook the strong points of an opponent's case—that is, so long as the disputants do not come to blows. Nay, when the opponent has right and truth on his side, it is much easier and safer to leave his strongest points unnoticed. Better to divert attention to some side issue. Do we not see it done every day? It is not in human nature to cry out one's own defects, or to call attention to arguments which one cannot answer.

Again, everything of importance need not necessarily be matter of controversy. Disputants may apparently agree on most important principles, and yet differ very materially when applying them to the question in dispute. Sometimes this happens because prejudice is stronger than logic, and conclusions are drawn which the premises do not warrant. But it occurs more frequently still from want of an accurate knowledge of the principles about which apparently all are agreed. This is particularly true of the principles of Philosophy, many of which are scarce noticed by non-Catholic writers.

Moreover, even when a doctrine is condemned, one must not always expect reason or argument. We have heard of those who deal out their “speechless obloquy” “without utterance save the shrug or sigh.” How often has the lie been propagated by doubts, hints, and sneers? And is it not unfortunately too true, that the most treacherous books for our Catholic youth are those which not openly but covertly attack religion?

Finally, look at the fact: is it true or is it not, that you will find in Catholic text-books of Philosophy many questions explained at great length, of which non-Catholic writers take no formal notice?

So much for the Programme. Dr. McGrath contends that the difficulties of Catholics are very much increased by the manner in which the examination papers have been set. The causes of complaint are manifold.

Terminology.—No one denies the utility and necessity of definite terms; but the examiners seem to have given this branch an importance totally disproportionate to its claims. Terminology is not everything, nor half of it, especially a shifting and unstable terminology. “It was the tradition of Catholic schools to look for proofs of

clear logic in power to 'state a question,' for proofs of strong logic in power to 'prove the Minors,' and for proofs of keen and trenchant logic in power to 'solve the objections.' But 'stating,' and 'proving,' and 'solving,' seem to be going out of fashion, at least in Metaphysics and Ethics, and 'commenting,' and 'discussing,' and 'explaining terms,' seem to be coming in."¹ Of twenty-three questions set at the B.A. Honour Examination in *Metaphysics* and *Ethics* in 1884, as many as seventeen involved explanations of technical terms; and of these, all, except one, were exclusively non-Catholic; and that one was common to all systems.

Quotations.—Two serious complaints have to be made in reference to this matter:—(1) Not a few of the quotations are unintelligible; (2) almost all are from the non-Catholic side.

"As specimens of quotations unintelligible to candidates not acquainted with the context, or at least with the writings of authors of the same school, the following may be given:—

'As in the world without, so in the world within us, the light by guiding us proves that it is its office to guide us.'

'To refer all pleasures to Association is to acknowledge no sound but echo.'

'Indeed, from a practical point of view, Egoism and Utilitarianism may fairly be regarded as extremes between which common sense morality is a kind of *media via*.'

And so the list goes on. Dr. McGrath gives four other similar quotations—indeed there are many more scattered through his pamphlet—and yet he says he has by no means exhausted his store.

However, bad as this is, it would not be specially unfair to Catholics, if the extracts were taken equally from Catholic books. But mark: in the B.A. papers set in 1884, the number of quotations from non-Catholic authors was twenty-one, from Catholics two, one of the two being from Alexander Pope. And this on the principle of give and take!

It is objected that a really clever student would have no difficulty in understanding the drift of these questions; and neither would he, that is, if he were very well read in

¹ Dr. McGrath, p. 26.

the philosophical works of the modern English school. Otherwise what chance would he have? You, dear reader, who are fairly clever and pretty well made up, had you any difficulty in understanding how "to refer all pleasures to Association is to acknowledge no sound but echo?"

But why should not all our young men be well read in modern works? Are you not cramping the students' minds?

We might reply: Why should they not be equally well, nay better, read in Scholastic Philosophy? And yet the examiners require them to "discuss" or to "comment on" very few quotations from the works of the schoolmen. Are you not more open than we to the charge you bring? We might add further that, if students were to read the works of Bain and Spencer, they might as well do so in the Queen's as in the Royal University; and the Encyclical, *Aeterni Patris*, would be waste paper.

But let all that pass; Dr. McGrath explains very fully why our students cannot be thoroughly well made up in non-Catholic terminology:—

"Properly speaking there is no such thing. It is not one; it is legion. This is not to be wondered at. Terminology is but "fossilised thought," and, when it is the glory of every great thinker to think independently of his predecessors and contemporaries, it is only the natural result that 'fossilisations' of this kind should abound. As a consequence, there are some hundred more or less independent and more or less antagonistic systems; these are the systems of Jevons, Venn, De Morgan, Sully, Sidgwick, Spencer, Bain, Mill, Hamilton, Mansel, Locke, Kant, &c. There is not one of these writers who has not contributed his quota to the confusion by introducing new terms, or, what is much worse, by attaching new meanings to the old. Catholic students could, of course, learn any one of these systems . . . [But] were so exorbitantly unreasonable a proposal to be made as that Catholic Professors should be bound to teach, or that Catholic students should be bound to learn, all these jarring systems, the former would be likely to show a disposition to resign the chairs, and the latter to quit the halls of Philosophy. The term of human life—not to say of philosophical study—is too brief to permit so large a portion of it as this gigantic undertaking would demand, to be expended upon "words, words, words." Of course

no [practical teacher would think of such a proposal; it was reserved for those gentlemen "who live at home at ease."

Just a few words before dismissing the subject. There seems to be an impression on some minds, that Catholic Professors of Philosophy want to pare down the programme; that they want to have the examinations confined to medieval systems, without any reference to the errors of our own time. This has been denied again and again,—so often indeed that it may seem useless to repeat the denial. Yet another repetition will do no harm; the tables already given may help the memory.

By all means let our Philosophy be directed against the errors of the day: but what are they? We have heard of difficulties about creation, about the origin of life, about the formation of man. Are there no wrong notions of matter, of miracles, of free will, of God? Have we not fundamental principles of property, of domestic and civil society, of human rights, of international relations? And are these principles universally acknowledged in this age of revolution? What has the Royal University done in connection with such questions, for here in truth we find "*errores grassantes*?" It banned them; not a word about them. But surely it was not ignoring the most awful problems of human life and destiny, that made Philosophy the queen of natural sciences and the delight of noblest minds.

It may be replied that it was necessary to find common ground; that, if the University put such subjects on the programme, it would lead to too great a jarring of creeds. The University was based on compromise; it acted on the common-sense principle of give and take.

We have seen how the principle worked; for Catholics it was all giving and very little taking. "Give me the Brown compromise," said Harry East, "when I'm on Tom's side."

What we want is a fair field and no favour; but see how our students were handicapped in the race. They cannot neglect the great questions already mentioned. In addition to the Philosophy (!) which the University required, they must be made up in branches which are practically different,—in Dynamology, Anthropology, Cosmology, Theology, and Ethics. Was this fair? And yet there are some who hold us up to scorn, because, forsooth, we will not cut off what is best and noblest in Philosophy; because we want to

know something about man's origin and destiny, before discussing the nature of his states and feelings; because we are more concerned for the foundations of property and society than with "children's pleasure in spinning cock-chafers."¹ And it is we who live in a fool's paradise; it is we who would pare down Philosophy from its giant growth in modern times, to the dimensions of the sapling which it was in the days of the schoolmen.

What then do we want? We want to have our youths taught Philosophy; and we complain that the Royal University reduced Philosophy to a fragment; for nothing is worthy of that honoured name which takes no account of the great problems of life. We want the Senate to remember that they are putting a premium on superficiality, by providing the easiest degree in Christendom for students who have dabbled a little in dangerous treatises on comparatively trivial subjects, and by officially stamping such triflers as trained philosophers. We respectfully ask Catholic Senators to see that the examiners do their work fairly and are not ashamed of the old and only Philosophy. We want fewer quotations separated from their context; and expect that, if quotations are to be given at all, they shall be taken equally from Catholic and non-Catholic books. We do not complain of *minutiae*, but insist that they should not be the *minutiae* of one system almost to the exclusion of the other. When Senators have seen to all this, they will have begun to show something like fair play to Catholics.

But, you may say, such an examination would be an absurdity. Think of requiring a minute knowledge of all the Philosophies from the days of Pythagoras to the present time. Why, you are only just after complaining that a lifetime would be too short for such a study.

True: and that is a further proof of Dr. McGrath's contention, that the old programme could not be made to work. Hence, no matter how you might reform it, no matter what care you might take that the examiners show fair play, you could not make it a success. No examiners could make it succeed. And when we blame them for what has been done in the past, we make allowance for the difficulty, nay the impossibility of their task. But we can make no allowance for any attempt to succeed at the expense of the credit of our schools or of our Philosophy.

¹ One of the questions in Ethics at an Honour Examination.

What then should be done? That is a question for the Senate; more especially for its Catholic members. It is their office to see that, if the new programme do not work fairly, a better shall be put in its place. Whether it will or will not do justice to Catholics can scarcely be known except from experience, and no doubt the experiment will be watched attentively.

W. McDONALD.

THE FOOTPRINTS OF ST. PATRICK.

SPECULATIONS on the spiritual characteristics of the age we live in are now very much in fashion. As may be expected, the less people are hampered by the trammels of faith, age, and experience, the bolder are their flights, and the more gigantic are their intellectual combinations. At present we are not concerned with religious thought in general, but merely with one important department; and, by way of introduction, it may be worth while, at starting, to inquire into the origin and purpose of the extraordinary interest in saints' lives now manifested by rationalistic authors. The first thing that strikes us is that writers, whose "large discourse, looking before and after," finds no authority higher than their own, nevertheless accept the decision of the Church that the saints are the supreme human standards of virtue. If they could discover such perfection anywhere else, we may be sure that they would let the saints alone. They are the witnesses of God: the stern judges of a corrupt world, which consciously or unconsciously is ever striving to make away with the mystery of sanctity. Hence "modern thought," as distinguished from ancient Christian thought, comes forward with solutions gathered from all quarters except the old one. Race, atmosphere, fanaticism, assisted by organised and well-managed epilepsy, hysteria, or nightmare—everything or anything which is "of the earth earthly"—takes its place amongst the "scientific explanations" of Christianity and its triumphs; and if biology has not yet laid bare the fountains of prophecy and inspiration in the dissecting-room, we are confidently informed that it is on the scent.

If ever there was a time when Christians could ill-afford to be amused with spiritual licentiousness, it is the present.

Faith is in jeopardy from a suicidal mania which has got hold of reason in the guise of a philosophy which saps its foundations. Hagiology is not the least important of those spiritual fortresses for the defence of which we are bound to rally. If we allow the agents and ambassadors of the Omnipotent to be hauled up for judgment at the all-doubting know-nothing¹ tribunals of rationalism, it may be the beginning of the end of faith.

Such are the thoughts which have occupied the writer's mind, as on different occasions, and at long intervals, he has followed the footsteps of the Apostle of Ireland, in places which his memory alone has sufficed to convert into sanctuaries. He has tried to sound the mystery of that consecration of the very soil of Ireland to her Apostle, which, like his spiritual dominion, seems to triumph most when every external aid is absent. Slemish, where the young saint was taught to pray by God Himself is desolate; and Tara where he conquered men; and Croagh Patrick where he subjugated demons: and yet St. Peter's and the Mammertine are hardly more eloquent in their enduring recollections. What is it that for a thousand and four hundred years has preserved St. Patrick's imperial sway over the minds and hearts of the Irish peasantry? It is not enough to say that he brought Christianity into Ireland. In other countries native saints have, in process of time, become the representatives of their Catholic glories; in Ireland all saints are vassals of the one spiritual monarch—planets which revolve around one central sun.

It is very hard to speak about St. Patrick in measured terms; indeed it almost seems like a betrayal of the majesty of the subject, if we attempt to do so. His character, miracles, success, and abiding dominion are all so superhuman, that even the language of poetry falls short of the reality. It is this, more than anything else, which has laid his acts open to the attacks of the incredulous of every grade and complexion. People are strongly inclined to escape from excessive demands on their faith as well as on their charity; hence they feel a sense of relief at any theory which pulls St. Patrick down to what looks like the sober level of common sense.

¹ *Quorum est dubitare de omnibus, scire nihil.* S. Bernard. *de Erroribus Abaelardi*, cap. iv. In this short tract we see how much of "modern thought" was familiar to our forefathers.

They are welcome to keep him in this position if they can. If, however, they find that collective wisdom, which is the assumed foundation of common sense is at fault, and can make nothing of the facts, then it is only reasonable that they should look for some other guide. No one imagines that all questions are subject to public opinion. A man may successfully hold his own against the world on some point concerning his great-grandfather; he being the only person in the world who knows anything about the matter.

Such is the position of the ancient Catholic race in Ireland as regards St. Patrick. They have never lost sight of him, because they have always believed in him. On the other hand, for the last three hundred years, they have been literally put out of court by a loud-voiced and dominant critical and historical world, which has depended much on universal suffrage in the process of fabricating modern history. In their own country their evidence as to their own history has been so completely ignored, that to bring it forward was regarded as an impertinence. They have had everything against them—the fascinations of literary novelty, authority, learning, and that logic which is ever at the disposal of “the master of thirty legions;” and while they groaned to see Dublin Castle and Trinity College, Ussher and Ledwich, Betham and Todd, piling up the great Protestant tower, lo! by its own weight it toppled and fell, *mole ruit sua*.

No doubt St. Patrick owes much of his world-wide fame to the assaults of his baffled critics. In this world the path of truth is ever marked by the gibbets on which her assailants have anticipated the executioner. The annals of literature cannot produce anything more grotesque and irrational than the caricatures of St. Patrick, which stare at the astonished reader in the ponderous controversial monuments of the Irish Protestant Church. They may be creditable as evidence of industry; but the praise of common sense can hardly be attributed to them, as they are completely subversive one of the other.

Archbishop Ussher was too clear-headed to deny the truth of St. Patrick's history. He saw no way, therefore, of escaping from the emissary of Rome, other than by placing the introduction of Christianity at a date anterior to that of St. Patrick. This theory has been vigorously assailed and exploded by Dr. Todd, a member of the same establishment. Dr. Ledwich also saw the weakness of

Ussher. He had learned from his contemporary, Sir Boyle Roche, that "the best way to avoid dangers is to meet them plump." He therefore boldly denied that there ever was such a personage as St. Patrick; and this solution of the difficulty saved so much trouble that for a long time it was the favourite theory in the Protestant literary world. It did not, however, satisfy Sir William Betham. He returned to the theory of Ussher, taking, at the same time, a bolder flight. Ussher had broken down because he had committed himself to a distinct statement of the time *antecedent* to St. Patrick, at which Christianity had been established in Ireland. Sir William Betham more wisely took up his position in ages into which no one could follow him, and informed his readers that Ireland had been converted "centuries" before the time generally supposed. Then, in the middle of the fifth century, an emissary of Rome arrives, who, by one of those processes of incantation with which Rome is so familiar, easily obliterates all memories of the past from the minds of the clergy and people of Ireland. "Fabricated legends," he informs us, "were invented for the express purpose of deception, to make posterity believe that they saw the substance, while a shadow was exhibited to their contemplation: to give to *Palladius* the name and character of *Patricius*, and to obliterate the recollection of the latter from the minds and attachment of the grateful and affectionate Irish, by giving his name to a phantom raised at the end of the sixth, or the beginning of the seventh, century."¹

Dr. Todd, the last Protestant biographer of St. Patrick, has taken a very different line from that adopted by his predecessors. He keeps clear of their historical enormities. He accepts most of the facts that are recorded by ancient Catholic writers, and then mounting on the popular tide of the High Church theory he has produced an apostle suited to the tastes of that now dominant party. St. Patrick in the hands of Dr. Todd is like the Church in the mind of an Anglican: alternately a mythical curiosity, and a living organism. Anything, and everything in the religious line is welcome to that liberal and condescending church which now sets St. Benedict and St. Francis de Sales in its niches, dressed up in vestments of its own invention.

Some of the above writers were learned and sensible men, and honest as far as their religion allowed in the presence

¹ Irish Antiquarian Researches, p. 245.

of those phenomena of grace which are incompatible with the fundamental principles of their creed. Prelates and mystics of the stamp of Archbishop Cranmer and Joanna Southcote might have found a legitimate position in their pages; beyond such they had no right to go. The school to which they belong assumes as a first principle that witnesses who introduce miracles and supernatural occurrences into historical narratives are either dishonest or infatuated. If they think so it is immoral to use their testimony, unless it be in the composition of historical romance, a style of writing which is only lawful when open and undisguised.¹

These theories regarding St. Patrick can still boast of one surviving and ardent supporter in the person of the Rev. J. F. Shearman, the author of "*Loca Patriciana*," who has again taken the field in the "*Journal of the Royal Historical Association of Ireland* (Jan. 1884)." In his treatment of Patrician history, which he justly characterizes as "independent," he describes himself as "drifting away from the accustomed moorings, striking out new lines for himself,² and leaving the well-known tracks of former inquirers." There is some exaggeration in his claim of originality. It is true that no one of the theories to which we have alluded quite agrees with another; but for all that they are fundamentally nothing more than new fashions of the old anti-Catholic Patrician theory inaugurated by Archbishop Ussher, more than two hundred years ago. The Rev. J. F. Shearman's theory is essentially a reproduction of that of Sir William Betham, with this difference, that while the latter regards the obliteration of the real St. Patrick as a result of foreign intervention, the author of "*Loca Patriciana*" lays the crime of the "almost historical extinction" of the Apostle of Ireland at the door of the historians of the country. "The old writers . . . shut out from view the *real* Apostle Sen-Patrick, consigning him to obscurity and to an almost historical extinction."³

It is not the intention of the present writer to weary his readers with another inquiry into the extraordinary historical hallucination which continues to haunt the mind of this author. He has already published an examination of this theory in two successive numbers of the "*Dublin*

¹ Mr. Green's analysis of Dr. Todd shows how a dispassionate investigator can find his way in a literary fog. Mr. Green's narrative is both consistent and consecutive. "*Hist. of English People*," p. 21, and "*Making of England*," p. 238.

² Pref. p. vii.

³ *Loca Patriciana*, p. 434 (n).

Review.”² His only object here is to show that it is one of the offsprings of that Irish Protestant Church tradition which demands no refutation other than to be brought out into the light.

The inseparable union of the supernatural and the human in St. Patrick's history is at the root of all the objections which have been raised against the ancient records of his life. His work is the most incomprehensible part of that life, and as it is embedded in the history of the times, it is, perhaps, too much to expect that, without faith, anyone can believe either in St. Patrick or in the history of Christian Ireland in the fifth century. In the bitterness of his heart Sir William Betham cries out : “He is almost ubiquitous,” while the author of “*Loca Patriciana*” can only grasp the idea of the saint in sections, he is so oppressed by “the great difficulty, if not impossibility, of one person being competent to endure all the labours attributed to St. Patrick (p. 396).” St. Patrick's apparent omnipresence in the spiritual and intellectual world is even more unaccountable. Everywhere it is at his word that churches are multiplied, bishops consecrated, and virgins dedicated to Christ. He presides over the legislation of the country, and adapts the Brehon Laws to the needs of a Christian country. His image invades the pages of the Bards, and the simple record outstrips all the creations of the most fertile Irish fancy, where all these characteristics of the Apostle of Ireland are so indissolubly connected that no biographer of the saint can with impunity omit anyone of them. For a time St. Patrick's history may be obscured in the minds of those who have not taken the trouble to study it in original sources ; but the saint survives, while the biographer goes the way of all inventive and eclectic historians.

No writer ought to be severely judged for mistakes in dealing with the life of St. Patrick, so long as he confesses that he is fallible. It is the assumption of universal authority in this vast and complex subject which is inexcusable. The biographer of the saint, at one and the same time, is obliged to put into shape an historical period to which it is hard to find a parallel in any other country, and to play a part like that of postulator in a process of canonisation ; but the history of Ireland then, as well as now, is no less true because it is singular, and St. Patrick is no less a saint although with Tillemont, we are obliged to confess that he was unlike

² For Oct. 1879, p. 547, and July 1880, p. 59.

anyone the world has seen since the age of Prophets and Apostles.

The ancient lives of St. Patrick, in all their main features, tell one consistent tale. The obscurity which attaches to his birth-place, and to the chronology of some events in his life, furnishes no real argument against the authenticity of these documents, when we call to mind the state of the world in St. Patrick's time, and the imperfect historical and geographical attainments of his newly-converted biographers. Irritation is our predominant feeling when so much is made of these trifling difficulties, thereby leading the mind away from those great features in his life which are found in all his ancient biographers, united and supporting one another like the members of a living organism. It is hard to define the limits of human invention. We are safe, however, in saying that genius is not creative in the divine sense of the word. It sees the truth, it does not make it, and the lamentable failures of inventive modern writers in their attempts to produce a new St. Patrick, go far in strengthening our conviction that St. Patrick was the creation of omnipotent grace, rather than an evolution of Celtic imagination.

St. Patrick was an old man of sixty before the world began to notice him. He was an exile in youth, and a pilgrim in many lands up to that period of life at which most men have come to the end of their labours.

We know from the testimony of Jocelyn, who wrote in the twelfth century, that several lives of St. Patrick were composed by his disciples immediately after his death, and there is little doubt that some of those preserved in Father Colgan's collection were written by contemporaries of the saint. When, however, we compare these lives with St. Patrick's own writings, it is clear that he himself had not given them much definite information as to his early life, and considering the saint's longevity it is not likely anyone living could be of much help to them in this respect. St. Patrick's writings bear the stamp of that spirit of self-abasement and concealment by which the saints rebuke and mortify our curiosity, while they confound our vanity and ostentation. He had been the companion of the greatest saints of the age at Marmoutier, Lerins, and Auxerre, but we look in vain in his writings for any allusion to the names which had made these places famous. We can give no rational explanation of his silence: like so many things in saints' lives, reason is at fault because they

surpass reason. For sixty years St. Patrick was alone with God. In the company of men, as well as in the desert, his soul was the theatre of secret divine operations which, like St. Paul, he could not put into intelligible words. We can see the effects of this training, but we can no more comprehend its course than we can understand how the sun turns the lily pale, and makes the rose blush.

The man who in his old age converted a whole nation, who built up, and organized a Church and hierarchy on a foundation which is still unshaken after the lapse of fourteen centuries, owed as little to human instructors as St. Francis of Assisi. He was conscious of this, and in his writings he alludes to it in language which the saints alone can use without attributing anything to themselves. "Wonder, therefore," he says, "all who fear the Lord great and little: and you ignorant lords of rhetoric, listen and examine, who is He who has summoned me, fool that I am, from the midst of those who seemed wise, and learned in the law, and powerful in word, and in every work? I who am indeed the outcast of this world, He hath breathed upon in preference to others, although I am what I am: provided only that with fear and reverence, and uncomplainingly, I faithfully serve that nation to which the charity of Christ has transferred me, and handed me over for the days of my life, if I prove myself worthy." In the same strain he continues: "Therefore, I never faint in giving thanks to my God who has preserved my fidelity in the day of my temptation, so that this day I can offer Him the sacrifice, and consecrate my soul as a living victim to my Lord who has saved me from all my miseries, that I may be able to say, who am I, or what is my prayer, O Lord, who hast thus laid bare to me such signs of thy divinity? So that at this day I should exalt and magnify Thy name in every place, as well in adversity as in prosperity, receiving with an untroubled mind whatsoever may come, whether good or evil, ever giving thanks to God who has taught me to believe in Him without doubting unto the end: who has lent His ear to me, so that in those latter days, I had the heart to face a work so holy and so wonderful, and to imitate those of whom it was of old predicted by the Lord that they should announce His Gospel, as a testimony to all nations before the end of the world. As we see, so it has been fulfilled. Lo! we are witnesses that the Gospel has been preached everywhere, even to the farthest limits of the habitations of men. . .

Behold I now commend my soul to my most faithful God, for whom in my lowliness I am ambassador Wherefore may my Lord avert that it should come to pass, that I should ever lose His people which He has gained at the ends of the earth. . . . And if for the sake of my God whom I love, I have ever imitated anything good, I beseech Him to grant that in the likings of those who were converts, or captives for His name, I also may give my blood, and even have no place of burial, and that my miserable body may be cut into pieces, and cast out to be the food of birds and dogs and wild beasts."

St. Patrick's writings are the authentic revelation of his character, the only satisfactory key to his life. If they lead us into the bright darkness of the invisible world, it is as might be expected. He bears witness to the operations of grace in his own soul, and to the effects upon others. The greatness of the revelation is too much for himself, and the amazement which filled his own soul was reflected on those around him. It is vain to look for a consecutive and comprehensive account of a life which so far exceeded all human measurements. St. Patrick went on his way led by the Spirit who breathes where He wills, and men were subdued they knew not how, and like the disciples of our Lord, "they followed and were afraid." It is our duty to study him with similar dispositions, in no other way can we get an idea of the saints. We can count his footprints, the traces of his presence here and there upon the earth, but it is faith, in the sense of belief in an absolute and unrestrained supernatural order, which alone can fill up the picture. When we stand on the ruins of the rath, or palace of Milcho, facing the cloud-capped summit of Slemish, the scene takes life, and we see the boy, the child of mystery and promise with his flock upon the mountain. We believe in those days and nights, when as he tells us the tempests summoned him to prayer, because he tells us of it in that language of the saints, which no man can invent. We follow him thence across the sea to the banks of the Loire, to the spot where France preserves the memory of his presence, where stands the church of *St. Patrice*, the title deed, and records of which take us back to A.D. 1035, proving that it has an established foundation even at that period, and never was there a better tested chain of evidence than that which binds together the confession of St. Patrick, the evidence of his biographer

Probus, and the traditions of Marmoutier, and establishes the fact that on the spot where the church stands, and the "Flowers of St. Patrick" still bloom, St. Patrick rested A.D. 393, when he was on his way to St. Martin, while the miraculous event which then occurred is the simplest explanation of the permanence of the devotion. So with the pilgrim on his way from Knock to Westport, when he sees the giant steeple of Croagh Patrick against the western sky. He will remember how that same mountain and the same glorious cloud-land of the setting sun, had greeted the ambassador of Christ, when just one year after his arrival in Ireland he arrived at this spot, as he journeyed from the eastern to the western sea. There is a passion for high mountains in souls that are struggling to escape from the earth. Slemish had been the first altar of St. Patrick's sacrifice, and Cruaghan Aigle, like to the mountain of his youth in its very shape and royal isolation, now invited him to prayer. On its summit he fasted and prayed for forty days and forty nights, and the land on which he knelt was given to him, and the Atlantic at his feet became his subject to bear his heralds to the ends of the earth. There on the slopes of that mountain we read his history in the paths worn by pilgrims, who from father to son have preserved his memory for fourteen centuries. Whensoever any family has held its ancestral home in an unbroken succession, its traditions are accepted as part of the history of the country. The tradition which points out Croagh Patrick as the scene of St. Patrick's prayer, would be in itself conclusive, even in the absence of those authentic documents which confirm the fact. So as regards Tara. In the company of his learned and faithful friend and archæological guide, Mr. W. M. Hennessy, and with help of Dr. Petrie's maps, the writer traced out one by one the foundations of those immense edifices at Tara which were already ancient in St. Patrick's time. Those who have been content to look at the Hill of Tara from the windows of the railway carriage, have little idea of its archæological magnificence, or of the grandeur of the panorama which meets the eye on every side. In the distance lies Slane, where the saint lit the Easter fire, the sight of which first brought Laeghaire and his court into the presence of their conqueror; and when we call to mind St. Patrick's character, we can understand how his spirit rose at the sight of the glory of nature, and of that vast assemblage of the representatives of the authority, and

religion of the country to which he laid claim in the name of Christ.

If, in visiting these scenes, devotion gives them life, and colours the language of our thoughts, it in no way lessens the historical value of our investigations. The astronomer whose imagination is the pioneer of reason is the one who makes discoveries, and faith goes further than imagination and is a safer guide. Faith tells us that God could enable St. Patrick to do all, and more than he is said to have done, and the teaching of Holy Scripture and the analogy of saints' lives give unity and scientific security to our thoughts, in the presence of mysteries which reason, left to itself, could never fathom. It is one of the characteristics of the operations of divine grace that there should be no proportion and no intelligible connection between the agent and the results. St. Patrick sang of Christ on his way from Slane to Tara; he summoned the elements to his assistance, as St. Paul challenged heaven earth and hell; but how their eloquence and poetry found their way into the hearts of men is a secret which God reserves to Himself. If, however, we know not how life is given, we see that in the way in which it once came it comes again. The same spiritual power, vehement, resistless, consuming, and yet tender and pathetic, which broke out with St. Patrick's words, is now felt by every soul who comes under his influence. As knowledge of the saint increases, new witnesses bear evidence to this truth. When, from the mouth of the preacher, some sentence which was once in St. Patrick's heart is heard again, it rings in men's souls like the trumpet of an angel, while cloistered souls in solitude are speaking to God in the language which he has taught them, and like the saint himself when the "Voices of the Irish" reached him from the forest by the Western sea, their hearts are melted within them. Nay, even outside the church, St. Patrick's life and character are exercising a mysterious attraction on souls who are straining their eyes into the past in search of signs of that higher life in man which modern matter-worship has well nigh suffocated. There is a distant kindred between genius and sanctity. The perception of the beautiful is one of the preparations for the Gospel, and many who have lost sight of God in the Bible, outraged by private judgment, seem to be struggling onward into the light under the guidance of the saints. There are many signs that Ireland's long winter is now over and past;

but none are more consoling than the homage paid even by her enemies to the moral splendour of her faith. It lights up the past, as well as the present. Working their way back, dispassionate minds discover that all that is bright and pure and attractive in Ireland has had its origin in a well nigh interminable past. Every revival of Christian life has been the result of her own inherent energy: the fire and light have come from out her own bosom. So men begin to say to themselves: if gentle Christian manners, charity, self-devotion and purity, are now found in the livery of poverty and shame, unnoticed and unchronicled amongst the glens of Donegal and Kerry, is it not fair to argue that the parents of these virtues existed, under similar conditions, throughout long ages of obscurity and oblivion? No lineage is so hard to reunite as that of faith once broken. Fidelity is the charter of the nobility of that faith transmitted to his children by a saint who was sent by God to baffle all human calculations, to build up an empire on defeat, and to make the reason of man the adoring, and therefore humble captive of divine inspiration.

W. B. MORRIS.

ADDENDA.

This Essay was in the hands of the printer when the writer heard of the death of the Rev. J. F. Shearman. It is a consolation to him to remember that when in November, 1880, in deference to wishes expressed in high quarters, he republished his article, "The Apostle of Ireland and his Modern Critics," he sent a copy to F. Shearman and wrote in the following terms:—"I am sure you will believe me when I say that I suffered intense pain in fulfilling what I believed to be my duty to St. Patrick, to whom, as the Father of my faith, I owe a debt of love and loyalty which must be supreme over every other consideration. I hope that the Introduction, and the omission of M. Renan's name will help to moderate the tone of my remarks. Hoping that no literary contests will ever disturb our union in that bond of charity and peace which unites us in the Faith inherited from St. Patrick."

THEOLOGICAL NOTES.

VERIFICATIO PETITIONIS.

AS yet ecclesiastical usage has not fixed on one definite and exclusive meaning for the phrase "*executio dispensationis*." Sometimes, though rarely, it denotes the performance of a function for whose validity or lawfulness a dispensation was sought and obtained. Much oftener it is synonymous with *fulmination*. This is the strict sense, and in it the words may include absolution from censures and certain crimes, in addition to removal of the impediment and legitimation. But there is a wider and still more convenient meaning attached to the expression, when speaking of dispensations granted, as usually happens, *in forma commissoria*. Thus Burgt¹ in his treatise, with much advantage, ranges under *executio* four distinct acts. They are :—

1° Due verification of the petition as required by law or precept.

2°. The imposing of such obligations on the petitioners as are prescribed.

3°. The fulmination of the dispensation.

4°. Its acceptance in some way by the persons to whom it is granted.

For the present the first of these will be enough to consider, and the most suitable arrangement seems to accord with the order of precedence—Papal dispensations coming before those which Bishops give in virtue of delegated or quasi-ordinary faculties. Throughout there is no question of "*veritas supplicationis*," but of its "*verificatio*." To guard against the evil of invalid fulmination, such as occurs where the petition is not truthful, or does not contain everything that should be explained, or where some circumstance has intervened to prevent the grace from having its effect, it was deemed best to put upon each delegate's conscience the burthen of verifying the supplication in every case. Accordingly *verificatio* is required not because of any unfavourable suspicion in regard to a particular application or class of applications, but because of the general danger incidental to proceedings of this kind. Hence, the truthfulness of the

¹Tractatus de Dispensationibus Matrimonialibus p. 58.

prayer will not supply for it. But what precise effect its omission has upon a dispensation is, to some extent, a matter of controversy.

First of all, Papal dispensations are scarcely ever given at the present day in *forma gratiosa*. On this subject, then, little comment need be added to the words of the Council of Trent (*Sess. 22, c. v., de ref.*) which contain the law in *foro externo*, and are generally held to impose an obligation under pain of nullity:—

“ . . . eae vero, quae gratiose concedentur, suum non sortiantur effectum nisi prius ab iisdem (ordinariis) tanquam delegatis apostolicis, summarie tantum et extrajudicialiter cognoscatur, expressas preces, subreptionis vel obreptionis vitio non subiacere.”

Accordingly, though dispensations in this form do not need fulmination to produce their effect, they do require substantial verification of the prayer addressed to the Holy See, at the hands of the Ordinaries, before being of any service to the parties concerned.

The question of verification, however, has its great practical import in connection with dispensations in *forma commissoria*. Here, as is evident, it is the person to whom fulmination is committed who is directly responsible for having the petition verified. Now for the internal *forum* the confessor is usually selected, while almost to a certainty a commission in *foro externo* will be intrusted to the Bishop or Ordinary. As in both cases verification is a matter of serious concern, it may be well to enumerate in general terms the points for investigation:—

1° The names, diocese, and alleged qualities (only qualities where the confessor executes) of petitioners?

2° Was the impediment, or impediments, properly described, or have others supervened?

3° Were the circumstances, which must be stated, correctly set forth, or have any such occurred in the meantime?

4° The truth or untruth of causes?

5° In countries not subject to Cong. de Propaganda Fide, was the *status fortunae* fairly returned for dispensations in *foro externo*?

So far, there is scarcely any room for difference of opinion. But the case is far otherwise when it is asked whether verification is or is not required for the validity of a dispensation. Some say it is absolutely. Others consider the truthfulness of the petition sufficient. Others again

hold its necessity for the *forum externum*, but not for the *forum internum*. Some distinguish between the causes and every other part, as will appear further on. Lastly, there are not a few who think that the matter depends on the wording of the *mandatum dispensandi*. According to this view the inquiry is indispensable if the form "*si preces . . . veritate niti reppereris*" occurs; but not so if, as pretty often happens in dispensations for the *forum internum*, "*si ita est*," or any similar phrase, not specifying the *act* of verification, be found instead.

It adds considerably to the difficulty of drawing any certain conclusion out of so much disagreement, that canonists have here the assistance of very little written law to support their opinions either in regard to custom or the *Stylus Curiae*. No doubt Benedict XIV., has given his private views on one portion of the subject, and legislated or declared the law on another. But anyone who carefully reads what he said in either capacity will see how far that Pontiff was from finally settling every point in the controversy. As Pope, in his constitution, "*Ad Apostolicæ Servitutis*," dated 25 Feb., 1742, he states—

"*Si contingat ob causas minime veras existentes, ut dispensatio executioni non tradatur; qui eam impetrarunt apud Negotiorum Gestores, seu Litterarum Apostolicarum Expeditores conqueruntur; a quibus, nonnunquam responderi solet, executionem perperam, et injuria denegatam fuisse, quia expressio causarum, earumque verificatio, in dispensationibus non est aliquid substantiale, sed formalitas quædam, et Forensis styli consuetudo: quod non minus veritati adversatur, quam executionis ordinem, ac modum bene, ac prudenter constitutum subvertit; cum expressio causarum, earumque verificatio, ad substantiam, et validitatem dispensationis pertineat, illisque deficientibus, gratia nulla et irrita sit, nullamque executionem mereatur.*"

This constitution is commended and enforced by a letter from Gregory XVI., to the Cardinal Pro-Datary on the 22nd November, 1836. But it deals with the verification of *causes* and of nothing else. Some even hold that its provisions apply to the *forum externum* alone. This opinion, however, is scarcely probable. The Pontiff himself makes no distinction, and seems in more passages than one to have the confessor in view. Thus he writes, "*executionem dispensationum ut plurimum committi ordinariis locorum,*" and more plainly in imposing the conscientious obligation "*. . . Episcopos, Locorum Ordinarios, ceterosque Executores Litterarum Apostolicarum,*

quibus hujusmodi dispensationum executio committi solet."

For the opinion of some other writers, who hold that Benedict XIV., insists only on "*veritas causarum*," there seems to be almost equally little reason. His own language here and elsewhere, the common and correct usage of authors, and the words of Gregory XVI., clearly imply a meaning in "*expressio causarum earumque verificatio*" entirely distinct from mere truthfulness. Not only are causes required to *exist*; they must also be *expressed* in the petitions, and *verified* by the delegates. Nay more, in this important law, there appears to be question of an inquiry held after the commission of dispensing has been received. And hence arises a grave issue as to whether the careful investigation, which in modern times precedes the drawing up of a formal petition, is by itself sufficient.

No doubt this first inquiry is not in all respects what the Pontiff speaks of, and when feasible the case should again be looked over with care. Still the law is in substance observed, if besides diligent preliminary investigation sure knowledge is had that no invalidating circumstance has meanwhile occurred. Cardinal Lambertini, who was afterwards Benedict XIV., explaining the clause "*si ita est*" for the *forum internum*, says verification is necessary "*nisi forte ipse (executor) aliunde rei veritatem, justamque causam cognoverit.*" And most authors consider themselves justified in holding that the legislation of the Pope for both *forums* should be understood according to his own previous interpretation of the law for the *forum internum*.

A still stronger argument in favour of the same conclusion is derived from a private response given at Rome in 1868, to the Bishop of S. Hippolytus. We cannot find an authentic copy, but, as quoted by Feije,¹ it runs thus:—

"Propositum fuit aliquando S. Poenitentiariæ dubium, num bene se gereret quidam Ordinarius, qui præmissis per parochum seu vicarium foraneum et per testes informationibus pro concedendis literis ad impetrandas apud Ap. Sedem dispensationes, inde acceptas literas Apostolicæ dispensationis, absque mora executioni mandabat easque parochis remittebat, eis præcipiens, ne illis contrahentibus manifestarent, nisi vera essent exposita. Jamvero huic dubio S. Poenit. rescripsit: Inquisitio quæ præcipitur in Apos. literis matrimonii ex narratis quoad substantiam fieri videtur."

¹ P. 729.

This document is important in three ways. Firstly, by using *inquisitio* for *verificatio*, the meaning of the latter term is made clear. Secondly, fulmination performed by the Ordinary without waiting for any *fresh* investigation is valid. And thirdly, the prescribed verification of Apostolic letters is had in substantial completeness, when in addition to the first inquiry the parish priest makes sure of truthfulness in the petition before telling those concerned that the Ordinary has fulminated the dispensation.

Hitherto there has been question chiefly of verifying *causes*. Is the process required to a like extent and in the sense just explained, for other portions of petitions? No doubt it should be applied to all parts; but its omission in regard to none of them, except the causes, has been authoritatively declared fatal to dispensations. For this reason some consider it necessary only for that one portion. Others strongly maintain the opposite view, and point out how the precise impediment is almost as much in need of verification as the precise cause. Nor can parity of reason be here deemed a bad argument, for the legislator, as far as he went, seems to declare what was law, rather than impose a new obligation.

This brings us to the different clauses used in granting dispensations, since by them, in the opinion of many, the question at issue must be mainly decided. It is difficult to see how the phrase "*Si preces veritate inniti repperis*" can be construed, so as not to imply the necessity of an inquiry extending to the whole supplication. Still, according to several, even this form does not imply that everything, which should of necessity be true, must also of necessity receive verification. But where is the line to be drawn? Cardinal Lambertini,¹ who knew the *Stylus Curiae* so well, expounding the milder clause of the *forum internum*, "*si ita est*," requires that *more than causes* should be verified. His words contain valuable instruction for the confessor:—

"Quare, qui literas exequitur omnem curam ac diligentiam impendere debet ut cognascat an verum sit quod Majori Poeniteniario fuit expositum. An res ipsa circumstantiae, et causae, ac rationes ad obtinendam dispensationem prolatae veritati prorsus consentaneae sint. Nam ejusmodi executio committitur haud pro *mero* solum sed pro *mixto* etiam

¹ Inst. Eccl. 87.

foro conscientiae. Quamobrem monere debet eum, qui dispensationem petiit, ut nihil a veritate alienum proferat. Deinde opus est, ut diligenter investiget, utrum revera probentur omnia, quae ille testatus fuerit. Non tamen ulli testes inquirendi sunt, sed illum examinari solum fas est, qui dispensationem impetravit. Pontas censuit iusjurandum elici posse, ut rei veritas magis comprobetur. Hanc tamen sententiam reliqui omnes improbant. Quare, paucis jam superius dicta complectamur, adhibendam ab executore accuratam diligentiam, quam modo ostendimus; aliter irritam fieri dispensationem nisi forte ipse aliunde rei veritatem justamque causam cognoverit. Quodsi confessarius pro certo habeat falsum esse, quod summo Poenitentiario propositum fuit ab exequendo dispensationem abstineat, licet qui ipsam postulavit rei falsitatem tueri contendat, modo tamen sacerdos id non perceperit, cum Poenitentiae sacramentum dispensando administravit: non enim uti licet iis, quae tunc deprehenduntur."

In drawing out our conclusions, it would not be safe to depart without grave reason from the teaching of so great an authority. Hence, the "executor dispensationis" must either institute an inquiry or have "*aliunde*" sufficient grounds for believing that the supplication is truthful. Secondly, his information or investigation should cover all points mentioned above, "*res ipsa, circumstantiae, causae ac rationes*," or, in other words, the substance of the whole petition.¹ Thirdly, although particular omissions may leave validity doubtful, the only safe course, *ante factum*, is to include in one's verification or knowledge everything that the precept regards. And lastly, what is necessary in executing dispensations containing the clause, "*si ita est*," must certainly be required for those in which "*si preces veritate niti reppereris*" occurs. But there does not seem to be any strong reason for demanding more in the latter case than in the former. In both then knowledge will serve as a substitute for verification properly so called.

How is the "*executor*" to proceed? Our last quotation is so full on his duties *in foro interno* as to make comment unnecessary. For the *forum externum* there is no prescribed method. As has been said already the delegate can use the services of others in the matter of verification, though he himself must *fulminate*. Extra-judicial information suffices, unless there be one to contradict, or judicial inquiry be ordered. It must practically be extra-judicial where, as in these countries, the municipal law prohibits ecclesiastics from administering oaths for such

¹ Zitelli, p. 87, seems to hold that "*si ita est*" does not require verification; but alleges no reason for supposing a change in the stylus curiae.

purposes. A parish priest, however, when he verifies for the *forum externum*, unlike the confessor, must not depend on the parties concerned. He may rely on trustworthy oral statements or on written evidence of authority, always, however, making account of what diocesan custom or special instructions from the delegate may enjoin.

So far we have dealt with Papal dispensations alone. About those which bishops grant little need be added. They are of two kinds. For bishops dispense either in virtue of their purely delegated faculties or on the strength of quasi-ordinary powers. Dispensations of the latter class are more commonly held to lie within their control, so that *verification* is required for validity only when made a condition by them. It is otherwise with the exercise of delegated power, for faculties of this kind are given to be used according to the *Stylus* observed by the authority whence they come. Hence, a parish priest or confessor who receives a *mandatum dispensandi* from his bishop should be as careful about verification as if he were the *commissarius* of the Holy See. Besides, it is to be remembered, each bishop may, if he pleases, demand something special in verifying supplications, under pain of not granting the favour asked. As regards the large class of dispensations which Bishops or their vicars fulminate of themselves there need be no difficulty, because the practice is now general of making full inquiry before sending forward the petitions, and seeing that nothing occurs in the meantime to prevent the celebration of marriage.

This brings our remarks on "*verificatio*" to a close. In them nothing has been said of fulmination as such. On a future occasion we hope to discuss it and the remaining obligations of an "*executor dispensationis*."

PATRICK O'DONNELL.

LITURGICAL QUESTIONS.

I.

The Conditions for Duplication.

What are the exact conditions that justify the celebration of two Masses on the same day by the same priest, Christmas Day of course excepted?

There are two conditions required:—1. Necessity, which includes (*a*) spiritual necessity on the part of the people,

and (b) an insufficient number of priests to meet this want without having recourse to duplication. 2. The leave of the bishop who, after satisfying himself of the necessity, grants the permission in virtue of the Apostolic Indult.

We shall probably best meet the wishes of our correspondent by publishing the following Instruction, dated 12th December, 1862, and taken from the *Acta Sanctae Sedis*.

For a full exposition of the various circumstances consult also the Instruction on this subject issued by the Propaganda, and published as an Appendix (page 232) to the Maynooth Synod.

CIRCA NORMAS PRÆ OCULIS HABENDAS IN CONCEDENDA FACULTATE
MISSAM ITERANDI.

Quibus omnibus consideratis facile quis cognoscere potest quid in examen revocari debeat, priusquam facultas iterandi Missam sacerdotibus concedatur. Duo enim ad hanc concedendam debent simul concurrere, necessitas scilicet ex parte populi, et deficientia sacerdotum qui celebrare possint.

Et quod ad necessitatem populi attinet, non considerari debet necessitas alicujus personae quamvis dignitate fulgentis, sed alicujus populi partis, vel alicujus communitatis qui Missam diebus festis non audirent, sive propter locorum distantiam, sive ob alia impedimenta, nisi plures celebrentur Missae. Item si parochiani ad unam Missam simul non possunt convenire, eo quod diversis locis habitant distantibus ab Ecclesia, et celebrata Missa post modum ipsi venientes postulant aliam Missam celebrari, &c. Maxima vero censetur necessitas ex parte populi, si praeter hujusmodi circumstantias, concurrat etiam parochiarum multiplicitas quae ab uno regantur pastore.

Quod autem attinet ad deficientiam sacerdotum, ad quam praeter ceteris attendi debet, ea deficientia non debet esse conficta et veluti praesumpta, ex eo quod parochus ratione sui officii debeat per se applicare secundam Missam pro populo, ubi duas regat paroecias; vel ex eo quod ratione sui officii debeat iis qui ad audientiam Missam recedunt catechismum et fidei mysteria explanare: vel ex eo quod non possit ob tenues proventus eleemosynam solvere alteri Missam celebranti; cum nimis difficile sit, hac reali deficientia reddituum probata, deesse alia extraordinaria media quibus hisce indulgentiis fiat satis. Neque censi debet deesse alium sacerdotum, quia alteri sacerdos qui adest, licet possit, nolit tamen celebrare ad populi commoditatem. In hujusmodi enim adjunctis potest Episcopus hunc alterum sacerdotem cogere, ut ad populi commoditatem celebret. Quare exclusa hac conficta et praesumpta alterius sacerdotis deficientia, ad cohenestandam Missae iterationem requiritur vera deficientia sacerdotis, qui alteram Missam celebrare valeat. 12th Dec., 1862.

II.

Benediction with the Ciborium.

REV. SIR,—The other evening I went into a Church where devotions were going on. The Tabernacle was opened, and the Pyxis, covered with its veil, was exposed within it, and after the prayer, *Deus qui nobis*, was sung, the Priest took out the Pyxis and gave Benediction with it. This being to me a new practice I made inquiries and was told Cavalieri approved of it.

May I ask (a) is this practice in keeping with the Rubrics or Decrees, and if the answer is *affirmative*, please say (b) may a Priest do this as often as he thinks it conducive to the people's devotion, or does he require the Bishop's permission? SACERDOS.

(a) Yes; this is a recognised form of giving Benediction.

(b) The Bishop's permission is required for this as it is for Benediction with the Monstrance.

When Benediction is given with the Ciborium, the following is the ceremony to be observed :—

The Altar is prepared as for the ordinary Benediction. The Priest is vested in surplice and stole, and, if convenient, with cope also. He is attended by two acolytes and a thurifer. At the Altar he observes the usual reverences, ascends the predella, opens the Tabernacle, genuflects, and descends the steps, leaving the door of the Tabernacle wide open, and the covered Ciborium visible within. He now puts incense into the thurible and incenses the Blessed Sacrament *more solito*. Then follow the usual prayers and chant. After the *Tantum ergo*, the Priest puts on the humeral veil, ascends to the predella, genuflects, takes out the Ciborium, lays it on the corporal of the Altar, takes it in the left hand by the nodus, covers it with ends of the humeral veil, and then turning round gives the Benediction with the Ciborium thus covered. After the Benediction he lays the Ciborium on the Altar, genuflects, puts off the humeral veil, rises, places the Ciborium in the Tabernacle, genuflects, closes the Tabernacle, descends, and returns to the sacristy with the usual reverences.

III.

May honoraria be received in Tribunal?

In the *Statuta Diocesana* (p. 84) we read:—"et districte mandamus ut nihil, sub quocunque pretextu, in Tribunali Poenitentiae accipiatur." Can that enactment have any possible reference to the authorized honoraria which the faithful are accustomed to present immediately after confession?

Consult I. E. RECORD, 3rd Series, vol. v., p. 196 (March, 1884), where this question has been already answered.

DOCUMENTS.

DUELLING.

A physician is not allowed to assist at a duel even for the purpose of inducing the duellists to desist, or of attending professionally to either party if wounded. He is not even allowed to resort to a neighbouring house (though not actually present at the scene of the duel), with a view of being close at hand to dress the wounds of the injured duellist. He even incurs the excommunication in these circumstances. The same is true of a confessor who attends to give spiritual help, if needed.

31 Mai 1884.

ILLME. AC REVME. DOMINE,—Litteris die 24 Septembris superioris anni datis, vicarius generalis Amplitudinis Tuæ proposuit tria sequentia dubia, scilicet :

1°. Potestne medicus rogatus a duellantibus duello assistere, cum intentione citius finem pugnæ imponendi vel simpliciter vulnera ligandi ac curandi, quin incurrat excommunicationem Summo Pontifici simpliciter reservatam?

2°. Potestne saltem, quin duello sit præsens, in domo vicina vel in loco propinquo sistere proximus ac paratus ad præbendum suum ministerium, si duellantibus opus fuerit?

3°. Quid de confessario in iisdem conditionibus?

Emi. PP. uno mecum inquisitores generales hæc dubia ad examen revocaverunt in Cong. generali habita feria IV., die 28 labentis Maii, ac re mature perpensa, respondem censuerunt :

Ad 1^m Non posse, et excommunicationem incurri.

Ad 2^m vero et 3^m. Quatenus ex conducto fiat, item non posse, et excommunicationem incurri.

Dum hæc tecum communico, ut pro opportunitate nota fiant, fausta omnia ac felicia tibi deprecor a Domino.

R. P. D. Episcop. PICTAVIEN.

Addictissimus in Domino.

R. Card. MONACO.

DECREES OF THE S. CONGREGATION OF THE COUNCIL.

1. A coadjutor or sacerdos amovibilis is not free to transfer his services from one diocese to another without the leave of his Bishop.

2. A Bishop can compel, even under censure, a coadjutor to continue the work he is charged with, until a fitting successor can be conveniently provided.

3. The Archbishop of Toulouse is empowered by the Holy See—the special faculties to last for seven years—to enforce the services of those priests who are able but unwilling to do missionary work.

These decisions bear upon the interpretation of the law of the Council of Trent, which on the one hand imposes on Bishops the obligation of assigning to those whom they ordain some church or institution in which they are to be employed, and on the other, enjoins on the persons ordained not to quit their charge without the permission of the Bishop. Before now the Congregation of the Council was consulted, and issued from time to time decisions on this subject. For some Canonists held that the obligation of getting the Bishop's permission to quit the diocese applied only to pastors or beneficed clergy whose office necessarily supposed permanent residence, and not to coadjutors or other sacerdotes amovibiles. The Congregation when appealed to in individual cases has invariably given decisions which show that such a distinction cannot be maintained. In the present connection a few of its former decisions may be interesting.

When asked on the 30th August, 1732, “An, juxta decretum ejusdem Synodi (Larinensis, 1728) prohiberi possit *cuicunque ecclesiastico*, etiam in minoribus constituto; decessus a diocesi absque licentia Episcopi sub poena ducatorum sex,” the answer was “*Affirmative.*” Again in 1816, a professor of Theology, named Alexandri, of the seminary of the diocese of Nocera, where he had received Orders on the title of Patrimony, finding his revenue insufficient for his wants, and failing to get any increase from the Bishop, joined the diocese of Todi. For this change he asked the permission of the Bishop of Nocera, but was refused. Notwithstanding this refusal, the professor took up his work in Todi, and continued to say Mass, having, however, appealed to Rome from the ruling of the Bishop of Nocera who recalled him, under penalty of suspension, and appointed him at the same time to a certain mission in his diocese. The questions submitted to the Congregation of the Council, with the answers, were as follows:—

I.—An praeceptum Episcopi Nucerini dierum 13 Septembris et 29 Octobris, 1816, sit observandum in casu, &c.

II.—An constet de irregularitate incursa a presbytero Gervasio Alexandri, seu potius sit consulendum Sanctissimo pro dispensatione ab irregularitate, pro cautela tantum, in casu.

S. C. Concilii resp. :—Ad I. . . *Affirmative, dummodo Episcopus provideat Alexandrum congrue pro decenti sustentatione.*

Ad II.—*Affirmative ad primam partem, et consulendum Sanctissimo pro absolutione, et dispensatione elargienda post reditum ad diocesim, et petitam veniam ab Episcopo.*¹—19 Sept., 1818.

In 1833 the Congregation gave a similar decision, in what seems to be a still stronger case. One Britius, who had received tonsure in the diocese of Rieti, entered the Congregation of St. Vincent de Paul at Rome, and was there admitted to Holy Orders *sub titulo Patrimonii*. Later on he left the Congregation, and for five years filled the office of public catechist entrusted to him by the municipal authorities of his native town. He then stood the concursus for the vacant parish of Montbow, in the diocese of Sabina, and was successful. It was at this juncture that the Bishop of Rieti interposed, and complained of the departure of Britius from his diocese without his permission. The case came before the Council in this form :

An et quomodo Sacerdos Gaspar Britius cogi possit, ut in diocesim reatinam revertatur in casu ?

S. C. Conc. resp. : “ *Affirmative, dummodo congrua sustentatio eidem ab Episcopo provideatur.*”²

Another case was decided on the same principles on the 19th of February, 1870, the principle being that no priest can transfer his services from one diocese to another without the permission of his Bishop, as long as the Bishop provides for him a *congrua sustentatio*. We do not now refer to the special exception made in favour of priests who abandon the Mission in order to join a Religious Order.

The most recent decisions bearing on the question are the following :—

TOLOSAN.

9 Mai, 1885.

BEATISSIME PATER,—Cardinalis Archiepiscopus Tolosanus reverenter exponit quod non raro accidit ut sacerdotes quibus cura amovibilis Ecclesiarum succursalium commissa fuit, muneri suo renuntient et antequam Ordinarius renuntiationem acceptet, ad propria, eo quod beneficia proprie dicta non possident, redeant. Unde contigit non paucos sacerdotes vitam otiosam traducere, dum plures parochiales ecclesiæ suis carent rectoribus. Quapropter prædictus Cardinalis Archiepiscopus quærit.

1°. Utrum liceat memoratis sacerdotibus, eo quod beneficia

¹ Thesaurus Resol. S. Cong. Concilii. Tom. lxxxviii, pp. 250-261.

² *Ibid.* Tom. xciii., p. 28-35.

veri nominis non teneant, a suo munere recedere, non obtenta prius Ordinarii licentia?

2°. An ex præcepto obedientiæ, adhibitis etiam, si opus fuerit, censuris, Episcopus jus habeat eos cogendi ut in suo munere persistent, usquedum ipsis de idoneo successore providere valeat?

3°. Utrum sub eodem præcepto, iisdemque intentatis censuris, facultatem habeat episcopus sacerdotes viribus pollentes, et ab aliis officiis liberos, compellendi ad earum ecclesiarum curam percipiendam usquedum illis alio modo providere queat?

Die 9 maii 1884, Sacra Congregatio EEmorum S. R. E. Cardinalium Concilii Tridentini Interpretum, *attentis peculiaribus circumstantiis*, censuit rescribendum :

Ad 1^m *Negative.*

Ad 2^m *Affirmative.*

Ad 3^m *Affirmative, vigore facultatum quæ, approbante S.Smo Domino Nostro, Emo Archiepiscopo oratori tribuuntur ad septennium tantum, si tamdiu expositæ circumstantiæ perduraverint.*

L. CARD. NINA, *Prefectus.*

J. VERGA, *Secretarius.*

THE FEAST OF THE ROSARY IS NOT TO BE TRANSFERRED
EXCEPT IN OCCURRENCE WITH A FEAST OF A HIGHER
RITE.

The Offices of the Guardian Angels and St. Francis of Assisi were recently raised to the double major rite. Now it would follow on the general principles of Occurrence, that if either of them were to fall on the first Sunday in October, they, as *principal* feasts, should be preferred to the feast of the Rosary, which is also a major double, but a *secondary* feast. In order to avoid this inconvenience, many Bishops requested the Holy Father to raise the feast of the Rosary to the rite of a double of the second class. The request is not granted in this form, but the Pope meets the inconvenience referred to, by ordering that the feast of the Rosary, which continues to be of the double major rite, is not to give way—secondary feast though it is—to any feast except one of a higher rite. This is the way in which a similar difficulty was met in the case of Offices of the Mysteries and Instruments of the Passion of our Lord.

Decretum Generale.

Die 19 Junii 1884.

Ne, ob recentem ad ritum duplicis majoris erectionem Officiorum Sanctorum Angelorum Custodum ac Sancti Francisci Assisiensis, Officium, pariter ritus duplicis majoris, Sacratissimi Deiparæ Rosarii (quod veluti Festum secundarium putatur) Dominicæ primæ Octobris affixum, in occurrentia aliquoties illis postponendum

et ad aliam diem transferendum sit, nonnulli Sacrorum Antistites Sanctissimum Dominum Nostrum Leonem Papam XIII supplicibus votis rogarunt, ut praedictum officium, attenta speciali cultus devotione, qua ubique a Fidelibus ea die celebrari solet, ad ritum duplicis secundae classis elevare dignaretur. Ejusmodi vero preces quum a subscripto Sacrorum Rituum Congregationis Secretario relatae fuerint eidem Sanctissimo Domino Nostro, Sanctitas Sua constituit, Officium Sacratissimi Rosarii Beatae Mariae Virginis non posse amandari ad aliam diem, nisi occurrente officio potioris ritus, quemadmodum per Decretum *Urbis* ejusdem Sacrae Rituum Congregationis sub die 6 Augusti 1831 pro Officiis Mysteriorum et Instrumentorum Dominicae Passionis praescriptum fuerat. Contrariis non obstantibus quibuscumque.

CARD. BARTOLINIUS, S. R. C., *Præfectus*.

LAURENTIUS SALVATI, S. R. C., *Secretarius*.

CORRESPONDENCE.

ST. VIRGILIUS.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

SIR—Permit me to state, in reply to Canon Brownlow, that Fergil, or Virgilius, does not occur in the Martyrology of Donegal. As this work was compiled by Michael O'Clery, the chief of the Four Masters, the omission shows that he did not identify the Abbot of Aghabo with St. Virgilius of Salzburg.

What warrant the Four Masters had for (1) calling Fergil the Geometer; for (2) placing his death in Germany; for (3) styling him a Bishop; and, finally, for (4) giving thirty years (the true reading) to his episcopacy, it were vain to enquire. Nor is the question worth solution. For the statements, it is evident, are all interpolations.

The original notice is fortunately preserved in the Annals of Ulster: 788, Feirgil, Abbot of Aghabo, died (O'Connor. *Rer. Hib. Script.*, iv. 114). Now, this and the hundreds of similar domestic obits given in our native chronicles, what are they? Original documents of the most unimpeachable authority. They are, namely, transcripts of contemporary entries in Monastic Annals, recording deaths *which took place in the respective monasteries*. The omission of the *locus in quo*, which is characteristic of continental Necrologies also, could deceive no intelligent reader, whilst it served, what was a matter of considerable moment, to economize the parchment.

Fergil, Abbot of Aghabo, *died*, therefore, there can be no doubt, *in Aghabo*. Another conclusion, it is to be feared, is consequently unavoidable. O'Clery and his assistants either acted in bad faith, in tampering with the original text; or showed an

utter incapacity for critical work, in failing to detect such clumsy forgeries

I have to add, that, though I searched closely and repeatedly, I failed to find his name in the long genealogies, and classified lists, of Irish saints contained in the lithographed Edition of the Book of Leinster.

O'Conor devotes two and a-half pages to the subject of Virgilius (ubi sup. 172-5). He *assumes* the Abbot of Aghabo, the person delated by St. Boniface, and the Bishop of Salzburg to be the same Virgilius. In proof that Virgilius taught "the doctrine of the Antipodes," he gives the following (ib. p. 173):—Aventinus in libro tertio Annalium Boiorum, p. 172, Virgilium, inquit, in disciplinis mathematicis et in philosophia profana, *magis quam tunc Christiani mores ferebant*, eruditum, ex illiusmodi scitis, contra vulgi opinionem, et D. Augustini ac aliorum patrum sententiam, docuisse "*circumfundi Terrae homines mulique, et conversis inter se pedibus stare, unde Antipodes Græci nuncupant vocē.*"

He adds in a note a reference to Huldeberg, Opuscula Geographica, Jenae 1710, p. 85, and Riccioli, Geographia, Venice, 1672.

His own opinion is given as follows (ib. p. 173): Minime itaque mirandum, si Virgilius, Antipodum sententiam ex professo propugnans, a Bonifacio Moguntino hereseos accusatus et delatus ad papam Zachariam, sæculo viii. in iudicio sisti decerneretur, presertim cum doctrina ejus, perperam interpretata, accepta fuerit quasi *aliū esse mundum, alios sub terra homines*, ab Adamo minime ortos, alium Solem et Lunam affirmaret. Hinc in viii. Capitulo ad Bonifacium, Pontificali auctoritate decernens, Zacharias inquit: Si clarificatum fuerit ita eum [Virgilium] confiteri. quod alius mundus est, et alii homines sub terra, hunc, accito concilio, ab Ecclesia pelle, Sacerdotali honore privatum (L'abbé, Concil. t. 6, Paris, 1671, Zachariae Epist. x. p. 1521).

To judge from the fact of their being found in the place to which he refers, Dr. O'Donovan took *Solivagus* and *Bishop of Salzburg* from O'Conor.

Yours faithfully,

B. MACCARTHY.

NOTICES OF BOOKS.

The History of the Church of God from the Creation to the present day.
By Rev. B. J. SPALDING. New York: The Catholic Publication Society.

All are agreed that the religious instruction in our schools should include some knowledge of Bible and Church history, before it can set up a claim to anything like completeness. Indeed it is, we regret to say, too often a matter of just complaint that some

Catholic high-schools, which devote much time and care to the teaching of profane history in all its branches, give no place to the history of the Church. We have heard a defence set up for this lamentable omission in that there is no suitable book for school work in this department. We cannot, however, admit this plea as quite satisfactory, for have we not in the matter of Bible History at all events the new and much improved edition of the interesting book by Reeve? And we are glad to see in the book we are noticing a successful attempt to meet the want more fully. Rev. B. Spalding's work contains a history—necessarily very compendious, as the volume is an ordinary octavo—of the Old and New Testaments and of the Church. We can heartily commend it for school use. The matter is abundant and judiciously selected, the style of the writing is easy and graceful, and as for form and order we have rarely met with any school book so admirably brought out. It is supplied with almost every help for a young student; for instance, the subject-matter of each section is printed briefly in Clarendon press type; questions are printed at the bottom of each page, and, finally, the book is very profusely illustrated with highly-finished woodcuts. We can heartily commend it as a school book.

ED.

The Month's Pardon. From the French of Raoul de Navery.
By ANNA T. SADLIER. BENZIGER BROTHERS, New York.

This story aims at being interesting, and at the same time instructive. The author is most fortunate in his choice of subject. The scenes are for the most part in Spain, in the time of Philip IV.; the characters are the king, his ministers, and the great artists of the period. Alonso Cano, whom admirers called the Michael Angelo of Spain, is the hero; and we are introduced to Murillo, Velasquez, *i.e.*, Il Spagnoletto, and many others. How Thackeray would have revelled in such company.

But M. de Navery is not a Thackeray. It may seem wrong not to encourage the publication of good stories for the amusement of our young people; and indeed the present writer will welcome any such book, no matter how little merit it may have. He welcomes "The Month's Pardon" among the rest, the author and translator of which have done good work. But what strikes one is, that the work might have been made so much more attractive.

Why will our story-tellers aim only at saving those who are very good? For, when a story is turned into a sermon, it is only the very good, who listen willingly to sermons, will sit down to read your story. The perfection of art, they say, is to conceal the artificial: may it not also be true that the perfection of preaching in conversation and through stories, is to conceal the sermon. Put on the surplice and see how many will leave the room; you will then preach to old women and good little girls.

W. McD.

Drifting Leaves. By M. E. HENRY. Catholic Publication Society.
9, Barclay-street, New York. London: BURNS & OATES.
1884.

This little volume of sacred song is so full of deep religious feeling that we should find it difficult to fault the versification, even were it far short of the excellence really attained. Several of the pieces, too, display no ordinary power of thought and imagination. "Ash Wednesday" and "Magdalen" will serve as illustrations of these qualities. Occasionally, where the lines are short and the composition varied, cadence and rhythm might be improved by further effort. But there is not a single one of the "Drifting Leaves" that will not repay careful inspection.

P. O'D.

The Augustinian Manual. By AN AUGUSTINIAN FATHER. Dublin :
GILL & SON,

The person who will not be satisfied with "The Augustinian Manual" is one hard to please in a prayer-book. We have looked through its many pages with the view of finding some usual practice of devotion unprovided for, and we failed to find any omission. It is indeed a full book.

In addition to its excellence as a practical prayer-book for the faithful in general, it contains, as a specialty, exhaustive instructions for the members of the Archconfraternity of the Cincture of SS. Augustine and Monica on their duties and privileges.—ED.

The Spirit of St. Teresa. Translated and arranged by the Author of "The Life of St. Teresa." London: BURNS & OATES.

This little book has three parts: first, the Exclamations of the Soul to God; second, Directions on Prayer; and third, a Novena before the Feast of St. Teresa. In the first two parts we have the words of the Saint; the third was written by an unknown hand, and dedicated to Madame Louise of France, a Carmelite novice, and daughter of Louis XV.

W. McD.

The League of the Cross Magazine: a Catholic Temperance Gazette. London: BURNS & OATES. Agents for Ireland: GILL & SON, Dublin.

We wish this Magazine every success. It deserves the support of all Catholics, and may do a great deal of good in many an unhappy home.

W. McD.

THE IRISH ECCLESIASTICAL RECORD.

APRIL, 1885.

THE SCHOOL OF BANGOR—ST. COLUMBANUS.

ST. COLUMBANUS was the great glory of the school of Bangor. He is one of the most striking figures of his age; his influence has been even felt down to our own times. The libraries which contain manuscripts written by his monks are ransacked for these literary treasures, and the greatest scholars of France and Germany study the Celtic glosses which the monks of Columbanus jotted down on the margins or between the leaves of their manuscripts. Hence we think it right to call special attention to the literary labours of Columbanus, because he is at once the highest representative of Celtic culture and Celtic monasticism.

We need not dwell at length on the facts of his life, striking and interesting as his marvellous career undoubtedly is. His life, published by Surius, was written by an Italian monk of Bobbio, called Jonas, at the request of his ecclesiastical superiors, and, though full enough in details regarding his life on the Continent, it is meagre as to facts of his youth in Ireland. It is, however, so far as it goes, authentic, for the informants of Jonas, were the members of his own community of Bobbio, who were companions of the saint, and eye-witnesses of what they relate.

Columbanus, or Columba, was the Latin name given to the saint, probably on account of the sweetness of his disposition. For although in the cause of God he was impetuous, and sometimes even headstrong, we are told that to his companions and associates he was ever gracious and quiet as the dove. We know for certain that he was

a native of West Leinster, and born about the year 543,¹ if not earlier, for he was at least 72 years at his death in 615. In his boyhood he gave himself up with great zeal and success to the study of grammar, and of the other liberal arts then taught in our Irish schools, including geometry, arithmetic, dialectics, astronomy, rhetoric, and music. He was a handsome youth, too, well-shaped and prepossessing in appearance, fair and blue-eyed like most of the nobles of the Scots. This was to him a source of great danger, for at least one young maiden strove to win the affections of the handsome scholar, and wean his heart from God. Old Jonas, the writer of the life, shudders at the thought of the danger to which Columbanus was exposed, and the devilish snares that were laid for his innocence. The youth himself was fully sensible of his danger, and sought the counsel of a holy virgin who lived in a hermitage hard by. At first he spoke with hesitation and humility, but afterwards with confidence and courage, which showed that he was a youth of high spirit, and therefore all the more in danger. "What need," replied the virgin, "to seek my counsel. I myself have fled the world, and for fifteen years have remained shut up in this cell. Remember the warning examples of David, Samson, and Solomon, who were led astray by the love of women. There is no security for you except in flight." The youth was greatly terrified by this solemn warning, and bidding farewell to his parents, resolved to leave home and retire for his soul's sake to some religious house where he would be secure. His mother, with tears, besought him to stay; she even threw herself on the threshold before him, but the boy, declaring that whoever loved his father or mother more than Christ, is unworthy of him, stepped aside, and left his home and his parents, whom he never saw again.

He went straight to Cluaninis, in Lough Erne, whose hundred islets in those days were the homes of holy men, who gave themselves up to prayer, penance, and sacred study. An old man named Sinell, was at that time famous for holiness and learning, and so Columbanus placed himself under his care, and made great progress both in profane learning, and especially in the study of the Sacred Scriptures.

At this time the fame of Bangor was great throughout the land: so Columbanus leaving his master Sinell of

¹ Dr. Moran thinks he was born as early as 530.

Lough Erne, came to Comgall, and prostrating himself before the Abbot begged to be admitted amongst his monks. The request was granted at once, and Columbanus, as we are expressly informed, spent many years in that great monastery by the sea, going through all the literary and religious exercises of the community with much fervour and exactness. This was the spring-time of his life, in which he sowed the seeds of that spiritual harvest, which France and Italy afterwards reaped in such abundance. His rule was the rule of Bangor. His learning was the learning of Bangor, His spirit was the spirit of Bangor.

When fully trained in knowledge and piety, Columbanus sought his Abbot Comgall, and begged leave to go, like so many of his countrymen, on a pilgrimage for Christ. It was the impulse of the Celtic mind from the beginning—it is so still—the Irish are a nation of Apostles. It is not a mere love of change or foreign travel, or tedium of home, the pilgrimage, or *peregrinatio*, was essentially undertaken to spread the Gospel of Christ. The holy Abbot Comgall gladly assented. He gave him his leave and his blessing, and Columbanus, taking with him twelve companions, prepared to cross the sea. Money they had none: they needed none. The only treasure they took with them was their books slung over their shoulders in leathern satchels, and so, with their staves in their hands, and courage in their hearts, they set out from their native country never to return. At first they went to England, and traversing that country, where it seems, too, they were joined by some associates, they found means to cross the channel and came to Gaul, about the year 575.

Gaul at that time was in a deplorable state. The country was nearly depopulated by a century of cruel wars; and although the Kings of the Franks were nominally Christians, and their people Catholics, yet partly from the disturbances of the times, and partly from the negligence of the prelates, vice and crime were everywhere triumphant. The apostolic man with his companions at once set about preaching the Gospel in these half-Christian towns and villages. Poor, half-naked, hungry, their lives were a sermon; but moreover, Columbanus was gifted with great eloquence, and a sweet persuasive manner that no one could resist. They were everywhere received as men of God, and the fame of their holiness and miracles even came to the court of Sigebert, King of Austrasia, of which Metz was the capital. He pressed them to stay in his dominions,

but they would not. They went their way southward through a wild and desert country, preaching and teaching, healing and converting, until they came to the Court of Gontran, grandson of Clovis, at that time King of Burgundy—one of the three kingdoms into which the great monarchy of Clovis had come to be subdivided.

Gontran received the missionaries with a warm welcome, and at first established them at a place called Annegray, where there was an old Roman castle in the modern department of the Haute-Saone. The King offered them both food and money, but these things they declined, and such was their extreme poverty, that they were often forced to live for weeks together on the herbs of the field, on the berries, and even the bark of the trees. Columbanus used from time to time bury himself alone in the depths of the forest, heedless of hunger, which stared him in the face, and of the wild beasts that roamed around him, trusting altogether to the good providence of God. He became even the prince of the wild animals. The birds would pick the crumbs from his feet; the squirrels would hide themselves under his cowl; the hungry wolves harmed him not; he slept in the cave where a bear had its den. Once a week a boy would bring him a little bread or vegetables: he needed nothing else. He had no companion. The Bible transcribed, no doubt, at Bangor with his own hand, was his only study and his highest solace. Thus for weeks, and even months, he led a life, like John the Baptist, in the wilderness, wholly divine.

Meanwhile the number of disciples in the monastery at the old ruined castle of Annegray daily increased, and it became necessary to seek a more suitable site for a larger community. Here too the Burgundian King Gontran proved himself the generous patron of Columbanus and his monks. There was at the foot of the Vosges mountains, where warm medicinal springs pour out a healing stream, an old Roman settlement called Leuxeil. But it was now a desert. The broken walls of the ancient villas were covered with shrubs and weeds. The woods had extended from the slopes of the mountain down to the valleys covering all the country round. There was no population, no tillage, no arable land; it was all a savage forest, filled with wolves, bears, foxes, and wild cats. Not a promising site for a monastic settlement, but such a place exactly as Columba and his companions desired. They wanted solitude, they loved labour, and they would have

plenty of both. In a few years a marvellous change came over the scene. The woods were cleared, the lands were tilled, fields of waving corn rewarded the labour of the monks, and smiling vineyards gave them wine for the sick and for the holy Sacrifice. The noblest youths of the Franks begged to be admitted to the brotherhood, and gladly took their share in the daily round of prayer, penance, and ceaseless toil. They worked so long that they fell asleep from fatigue when walking home. They slept so little that it was a new penance to tear themselves from the mats on which they lay. But the blessing of God was upon them; they grew in numbers, and in holiness, and in happiness, not the happiness of men who love this world, but the happiness of those who truly serve God.

But now a sore trial was nigh. God wished to purify his servants by suffering, and to extend to other lands the sphere of their usefulness. The first trial came from the secular clergy. Those Irish monks were men of virtue and austerity, but they were also in many respects very peculiar. They had a liturgy of their own somewhat different from that in use around them; they had a queer tonsure, like Simon Magus, it was said, in front from ear to ear, instead of the orthodox and customary crown. Worst of all, it sometimes happened that they celebrated Easter on Palm Sunday, so that they were singing their alleluias when all the churches of the Franks were in the mourning of Passion time. Remonstrance was useless; they adhered tenaciously to their country's usages; nothing could convince them that what St. Patrick and the saints of Ireland had handed down to them could by any possibility be wrong. They only wanted to be let alone. They did not desire to impose their usages on others. Why should others impose their usages on them? They had a right to be allowed to live in peace in their wilderness, for they injured no man, and they prayed for all. Thus it was that Columbanus reasoned, or rather remonstrated, with a synod of French bishops that objected to his practices. His letters to them and to Pope Gregory the Great on the subject of this Paschal question are still extant, and he cannot be justified in some of the expressions which he uses. He tells the bishops in effect in one place that they would be better employed in enforcing canonical discipline amongst their own clergy, than in discussing the Paschal question with him and his monks. Yet here and there he speaks not only with force and freedom, but also with true humility and

genuine eloquence. He implores the prelates in the most solemn language to let him and his brethren live in peace and charity in the heart of their silent woods, beside the bones of their seventeen brothers who were dead. "Surely it is better for you," he says, "to comfort than to disturb us, poor old men, strangers, too, in your midst. Let us rather love one another in the charity of Christ, striving to fulfil his precepts, and thereby secure a place in the assembly of the just made perfect in heaven."

Language of this character, used, too, in justification of practices harmless in themselves, but not in accordance with the prevalent discipline of the Church at the time, was by no means well calculated to beget affection towards the strangers in the minds of the Frankish clergy. Other troubles, too, soon arose.

Gontran, the steady friend of Columbanus, died childless in 593, and was succeeded in Burgundy by his nephew Childeburt II., already King of Austrasia, the son of the infamous Queen Brunehaut. He too died three years later, leaving his kingdoms to his young sons Theodebert, who got Austrasia, and Thierry, who took Burgundy. Brunehaut, their grandmother, the daughter of the Arian King of the Visi-Goths of Spain, was in her youth handsome, generous, and pious. But her heart was soured by the murder of her sister, the Queen of Neustria; she gave her whole soul to the demon of vengeance, and she wished for power to compass her vengeance. So she took the guardianship of the young princes into her own hands (596), and in order to secure her own power she encouraged the princes to indulge in every debauchery. This was especially the case after she was driven by the nobles from Austrasia and forced to take refuge in Burgundy, where she had the young Thierry at her own bad disposal. A lawful queen might dispossess the wicked Brunehaut from the place of influence which she held over the king, and so she encouraged him in the pursuit of unlawful love, in order to secure her own power. Leuxeil was in Burgundy, and King Thierry, pious after the fashion of the Merovingians, sometimes visited Columbanus and his monks. The latter was no respecter of persons, and on these occasions he rebuked the king with apostolic zeal and courage for keeping concubines at his palace instead of a lawful queen. The king took the rebuke patiently, and promised amendment; but Brunehaut was more dangerous to touch. On one occasion when Columbanus was at Bourcheresse she

brought the four children of Thierry to be blessed by the saint. "What would you have me do?" he said. "To bless the king's children," answered Brunehaut. "They will never reign," he cried out, "they are the offspring of iniquity." The woman retired wrathful and humiliated, plotting revenge. All the neighbouring people, even the religious houses, were forbidden to hold any communication with Columbanus and his monks, or to yield them any succour. But Columbanus, so far from yielding, wrote a reproachful letter to the king, in which he even threatened excommunication if he persisted in his evil courses. Here no doubt was the height of insolence—a foreign monk to threaten to excommunicate a king of the Franks. It was intolerable. Yet when Columbanus came to the royal villa at Epoisses to remonstrate with the king, he was hospitably received. He however indignantly refused to accept the hospitality of the persecutor of his poor monks, and under his withering curse the vessels containing the repast were broken to pieces. On this occasion both Thierry and Brunehaut, in terror of their lives, asked pardon, which was readily granted. But the truce only lasted for a short time. Thierry relapsed again into his crimes, and again Columbanus threatened excommunication. This time both Thierry and the queen came to Leuxeil in person, but Columbanus strictly adhering to the Irish rule excluding women from the cloister, forbade them to cross the threshold of his monastery. The king persisted, and made his way to the refectory. "Know then," said the intrepid monk, "that as you have broken our rules we will have none of your gifts, and, moreover, God will destroy your kingdom and your race." "I won't make you a martyr," said Thierry; "I am not such a fool; but since you and your monks will have nothing to do with us, you must leave this place and go home to your own country whence you came." This was about the year 610.

For the present, however, he was only made a prisoner, and conducted to Bensançon, where he was kept under surveillance, until one day, looking with longing to his beloved Leuxeil, and seeing no one at hand to prevent him, he descended the steep cliff which overhangs the river Doubs, and returned to his monastery. When the king heard of his return, he sent imperative orders to have him and all his companions from Ireland and Britain forcibly removed from the monastery, and conveyed home to their own country. The soldiers presented themselves at

Leuxeil when the holy man was in the choir with his monks. They told him their orders, and begged him to come voluntarily with them—they were unwilling to resort to force. At first he refused; but lest the soldiers might be punished for not resorting to that violence which they were unwilling to make use of, he finally yielded. He called his Irish brethren around them: "Let us go," he said, "my brothers, in the name of God." It was hard to leave the scene of their labours, their sorrows, and their joys; hard to leave behind them the graves of the seventeen brethren with whom they had hoped to rest in peace. But go they must; the soldiers would not for a moment leave them. It was a brief and sad leave-taking. Wails of sorrow were heard everywhere for the loss of their beloved father; brother was torn from brother, friend from friend, never to meet again in this world. Thus it was that Columbanus and his Irish companions left that dear monastery of Leuxeil, and were conducted by the soldiers to Nevers. There, still guarded by the soldiers, they embarked in a boat that conveyed them down the Loire to its mouth, where they would find a ship to convey them back again to Ireland.

But it was not the will of Providence that Columbanus and his companions, when driven from Leuxeil, should return to Ireland: other work was before them to do. Accordingly, when they came to the mouth of the Loire, their baggage, such as it was, was put on board, and most of the monks embarked. But the sea rose mountains high, and the ship which Columbanus intended to rejoin when under weigh, was forced to return to port. A three days' calm succeeded, and the captain, fearing to provoke a new storm, caused the monks and their baggage to be put on shore, for he feared to take them with him. Thus left to themselves, Columbanus and his companions went to Soissons to Clotaire, King of Neustria, by whom he was received with every kindness and hospitality. The king cordially hated Brunehaut and her grandson—his mother, Fredegonda, had murdered Brunehaut's sister—and he was anxious to keep Columbanus in his own kingdom, but the latter would not stay. He pushed on, with his companions, to Metz, the capital of Austrasia, where Theodebert, the brother of Thierry, then reigned. Here he was joined by several of his old monks from Leuxeil, who preferred to follow their father in his wanderings, to remaining behind in the kingdom of his persecutor.

Columbanus now resolved to preach the Gospel to the pagan populations on the right bank of the Rhine and its tributary streams. So embarking at Mayence, after many toils and dangers, they came as far as Lake Zurich, in Switzerland, and finally established themselves at Bregentz, on the Lake of Constance, where they fixed their headquarters. The tribes inhabiting these wild and beautiful regions—the Suevi and Alemanni—were idolaters, though nominal subjects of the Austrasian kingdom. Woden was their God, and they worshipped him with dark mysterious rites, under the shadow of sacred oaks, far in the depths of the forest. Discretion was not a gift of Columbanus, so he not only preached the Gospel amongst them, but, axe in hand, he had the courage to cut down their sacred trees; he burned their rude temples, and cast their fantastic idols into the lake. It was not wise; the people became enraged, and the missionaries were forced to fly. After struggling for three years to convert this savage people, Columbanus, perceiving that the work was not destined to be accomplished by him, crossed the snow-covered Alps by the pass of St. Gothard, though now more than seventy years of age,¹ and after incredible toil, succeeded, with a few of his old companions, in making his way to the Court of the Lombard King Agilulph, whose Queen was Theodelinda, famous for beauty, for genius, and for virtue.

At this time the Lombards were Arians, and Agilulph himself was an Arian, although Queen Theodelinda was a devout Catholic. Mainly we may assume through her influence the Arian monarch received the broken down old man and his companions with the utmost kindness, and Columbanus had an ample field for the exercise of his missionary zeal amongst the rude half-Christian population. But first of all it was necessary to have a permanent home—and nowhere could he find rest except in solitude. Just at this time a certain Jucundus reminded the King that there was at a place called Bobbio a ruined church once dedicated to St. Peter; that the place round about was fertile and well watered with streams, abounding in every kind of fish. It was near the Trebbia, almost at the very spot where Hannibal first felt the rigours of that fierce winter in the snows of the Appenines, so graphically described by

¹ According to others, he was nearly ninety.

Livy. The King gladly gave the place to Columbanus, and the energetic old man set about repairing the ruined church and building his monastery with all that unquenchable ardour that cleared the forests of Leuxeil, and crossed the snows of the Alps. His labours were regarded by his followers as miraculous. The fir trees, cut down in the valleys of the Appenines, which his monks were unable to carry down the steep and rugged ways, when the old man himself came and took a share of the burden were found to be no weight. So, speedily and joyfully, with the visible aid of heaven, they completed the task, and built in the valley of the Appenines a monastery, whose name will never be forgotten by saints or scholars. Whilst it was building, Clotaire, King of Neustria, now monarch of all the Franks according to the prediction of Columbanus, sent a solemn embassy to Bobbio, and invited him in most courteous language to return again to France to dwell with his companions where he pleased. He declined, however, the tempting offer of the king. France had cast him out; he had now found a home; he was too old to become a wanderer any more.

The holy old man lived but one year after he had founded Bobbio. His merits were full; the work of his life was complete; he had given his rule to the new house; he left behind him some of his old companions to complete his work, and now he was ready to die. To the great grief of the brotherhood, Columbanus passed away to his reward on the eleventh day before the Kalends of December, in the year 615, probably in the seventy-third year of his age. He was buried beneath the high altar, and long afterwards the holy remains were enclosed in a stone coffin, and are still preserved in the old monastic Church of Bobbio.

It is not too much to say that Ireland never sent a greater son than Columbanus to do the work of God in foreign lands. He brought forth much fruit and his fruit has remained. For centuries his influence was dominant in France and in Northern Italy, and even in our own days, his spirit speaketh from his urn. His deeds have been described by many eloquent tongues and pens, and his writings have been carefully studied to ascertain the secret of his extraordinary influence over his own and subsequent ages. His character was not indeed faultless, but he was consumed with a restless untiring zeal in the service of his Master, which was at once the secret of his power and the source of his mistakes. He was too ardent

in character, and almost too zealous in the cause of God. In this respect he is not unlike St. Jerome, but we forget their faults in our admiration for their virtues and their labours. A man more holy, more chaste, more self-denying, a man with loftier aims and purer heart than Columbanus, was never born in the Island of Saints.

JOHN HEALY.

QUESTIONS REGARDING PROPOSITUM.—III.

WOULD it be an extravagance to assert generally that in dealing with the Proximate Occasion of Mortal Sin there is no room for the *opinionēs benignae*, and that successful treatment is possible only under the application of stern unbending severity? Must we, when taking in hands the curing of a man placed in *occasione proxima*, discard, as a rule, the softer remedies of styptic and anodyne, and relentlessly employ the lancet and scalpel? No doubt our deep-rooted abhorrence of rigid theories, and our experience of the fatal indifferentism and despair to which they lead, should logically cause us to “think twice” and hesitate uneasily before giving an affirmative reply; but having “thought twice” and pondered the matter anxiously, our knowledge of human nature and the persistent, stubborn teaching of experience will force us to hold, that, although we may, on occasions that occur few and rarely in a lifetime, unbend the austerity of these propositions, they nevertheless express the true method of treating the *Occasio Proxima*. Those exceptions alone will be regarded as admissible whose claim to milder remedies is incontestably established and justified. St. Augustine says: “*Ludicra spes illa quae inter fomenta peccati salvari sperat.*”

With the *recidivi ex causa intrinseca* we can oftentimes afford, without peril to our own or our penitent’s soul, to interpret in our penitent’s favour every circumstance that suggests extenuation of guilt or inspires a “*spes, etiam incerta*”—adopting in all its whole-souled charity the teaching of Billuart: “*Si nihil aliud obstat . . . non obstant aliquot relapsus: hi enim vel mutabilitati voluntatis, vel fragilitati, vel reliquiis consuetudinis nondum penitus*

amotae, sed tamen retractatae et involuntariae, magis adscribendi sunt quam malitiae et defectui propositi . . . Et cum haec notabilis emendatio [quam prasupponit] sit effectus gratiae sacramentalis, spes est quod, per iterationem, tandem integra et perfecta conversio obtinebitur; et *haec est communis confessoriorum doctorum et timoratorum praxis.*" At the very worst, we may be obliged to postpone their absolution for some days—St. Liguori says: "octo vel decem vel, ad summum, quindecim dies," awaiting the advent of a signum extraordinarium: but when it comes with sufficient significance, it is our duty to absolve.

Far different, however, is the language of St. Liguori when he speaks of those "qui reinciderint ex causa extrinseca: dico absolutionem *omnino* differendam esse *usquedum* tollatur occasio, si sit voluntaria; si vero necessaria *donec* periculum recidendi ex proximo fiat remotum" (L. vi., T. iv. n. 463.) For writing thus strongly the great Saint and Doctor mildly and gently apologizes; but adds, with a sternness so strange to him, his unalterable determination never to recede from the unsparing rigour of this practice. "*Nunquam* absolverem eum qui est in occasione proxima externa . . . semper ac absolutio commode *differri possit.*" (*Ibid.*) "Hinc diximus quod propter periculum frangendi propositum, mortaliter peccat poenitens qui ante remotionem occasionis absolutionem petit, et gravius peccat confessorius qui illum absolvit." (*Prax.* n. 66.)

No theologian or commentator has yet succeeded in diluting or softening down the severe literalism of our Lord's words: "Quid prodest homini si mundum universum lucretur, animae vero suae detrimentum patiatur?" "Si oculus tuus dexter scandalizet te, erue eum et projice abs te." The most note-worthy "interpretation" known to the writer is that given by De Lugo when he endeavours to reconcile with these words his theory: "Hominem absolvi posse . . . quando occasio proxima relinqui non potest absque scandalo, gravi infamia, vel detrimento magno spirituali vel temporali. Tunc enim licite manet in periculo, quod est necessarium, et potest sperare divinum auxilium ad resistendum." (D. xiv.; S. x. n. 152). He formulates the objection from the first text in this way:—

"Majus malum est peccatum mortale quam infernus ipse et carentia beatitudinis aeternae. Ergo ex obligatione charitatis erga te ipsum debes procurare vitare illud malum, etiam cum gravissimo detrimento et cum jactura cujuscumque alterius boni."

To which apparently insuperable objection he gives this strange reply:—"Peccatum est majus malum, hoc est minus volubile per voluntatem activam et practicam, non vero per voluntatem speculativam et permissivam: nam licet debeam potius non velle peccare (quam) non velle mortem vel infernum, non tamen debeo magis non permittere peccatum quam mortem vel infernum." He then refers the student to an earlier dissertation for additional light—which the student will not find there.

La Croix analyses the solution thus:

"Licet peccatum *alienum* permitti possit, tamen concipi non potest quomodo quis dicatur permittere internum et formale peccatum *proprium*: si enim permittit, admittit, ergo peccat: unde sicuti qui ex metu mortis mentitur, peccat, quamvis non mentiretur si abesset metus mortis, ita peccat qui ex metu mortis [gravis infamia, &c.] manet in periculo formali, cum quo moraliter est conjunctum peccatum *Nec refert* quod sit moraliter impossibile fugere tale periculum, eo quod hoc videtur superare humanam infirmitatem; quia cum illa morali impossibilitate adhuc manet libertas sufficiens ad peccandum."

Premising that the periculum *formale* is that which "hic et nunc, consideratis omnibus circumstantiis extrinsecis et intrinsecis, *solet* esse conjunctum cum peccato"—many will be surprised to find an absence of unanimity among theologians in replying to the ordinary and obvious question:

"Si quis nullo modo possit facere ut cum occasione externa non sit conjunctum periculum formale peccandi, an sit obligatio eam occasionem externam deserendi, etiam cum quocumque incommodo, quamvis debeat subire jacturam omnium bonorum fortunae, famae, et vitae?"

Not only is there an absence of unanimity, but the preponderance of extrinsic authority is ranged on the side on which we should least expect to find it. La Croix says:

"Negant eum ad hoc teneri Auctores gravissimi quos recensent et sequuntur Lugo, Sanchez, Castropalao, &c., &c.—dicuntque non peccare eum qui, ex tali necessitate gravissima, manet in occasione proxima; dummodo conetur cavere peccatum, adhibeatque nova media, et si sit spes, quamvis incerta, vincendi."

The argument by which this view of De Lugo, &c., is urged, seems in theory and on paper to be strong enough. They tell us: "*Per se* non repugnat verus dolor et verum propositum absque ablatione occasionis proximae, quando talis occasio absque gravi detrimento tolli non potest;

quoties autem poenitens habet verum dolorem et propositum, absolvi potest." They remind us that: "Non ideo negatur absolutio perseveranti in occasione proxima, quia illa perseverantia praeclise repugnat cum vero proposito, sed quia *velle* perseverare scienter in tali occasione proxima peccati, esset *novum* peccatum." The man *in casu*, they tell us, remains in the danger *against his will*; his staying is therefore not sinful—"et bene absolvi potest."

Whatever we may say about the theory and the reasoning by which it is sought to be maintained; however tenderly one should speak of an opinion supported by such an array of Auctores gravissimi, it is incontrovertibly certain that each and all of these most grave doctors would, after a slight actual trial, hasten with appealing solicitude to warn us against making practical application of it, except on such occasions as have been alluded to above, and which may occur not once in a long life. Men do not live in the superlunary regions of theory, but lumber along and labour with difficulty through life, in the midst of hard prosaic realities. Nothing short of a miracle of grace will sustain and shelter the penitent who, for any earthly consideration, declines to forfeit whatever may be necessary in order to escape a "*periculum quod, hic et nunc, consideratis omnibus circumstantiis extrinsecis et intrinsecis solet esse conjunctum cum peccato.*" "*Per se non repugnat,*" that a man may swim in safety down (or even *up*?) the Falls of Niagara; does this justify the insanity of attempting it? If, as a matter of fact, the souls entrusted to us should slip from our grasp, the refined ingenuity—even the metaphysical truth—of this theory would be, in our defence, a pitiable plea.

Hence the teaching of La Croix, St. Liguori, &c., should be adopted as the only safe guide in the actual direction of souls. La Croix says:

"Non curanda esse talia incommoda, sed *meralem impossibilitatem vincendam*, ac fugienda talia pericula formalia, etiam cum jactura omnium bonorum fortunae, famae, et vitae, si aliter excludi non possit; quia homo tenetur etiam cum jactura vitae evitare omne peccatum—sive, tenetur potius mori quam peccare, etiam tantum venialiter; ergo etiam sic tenetur vitare periculum formale peccati: velle enim manere in illo est moraliter velle peccatum, quia tale periculum formale et peccatum sunt moraliter idem: sed nullo casu licitum est velle peccatum, ergo nec tale periculum."

Verily, if "*velle manere in periculo formali*" be not ontologically identical with the "*velle peccare peccato*"

occasionato," they are, in the composite realities of life, inseparable; and the man who plays with the thunder-bolt will assuredly perish by its shock.

All this is necessarily involved in the idea of *Propositum* as described by theologians, which—to be sufficient for valid absolution—must be efficax. To be efficax, Saint Liguori, &c., tell us, it must be "*aptum efficere quod proponitur: ideoque oportet quod poenitens non solum proponat peccatum vitare, sed etiam media adhibere ad peccatum vitandum, et signanter occasiones proximas peccandi, ut communiter docent DD.*" (*ubi sup.* n. 452). "*Propositum non tantum absolutum esse debet, sed etiam efficax; ita ut . . . re ipsa moveatur homo ad occasiones peccatorum amovendas, et omnem aliam operam adhibendam, quae ad vitanda peccata necessaria videtur.*" (Layman). It would be the cruellest self-delusion for a man to imagine that his resolution against sin is firm and effective while he clings to, or tolerates, that which, with practical certainty, will sap the strength and paralyze the bravest efforts of his will. No degree of vigorous resolve will save the man who rashly neglects to separate from otherwise wholesome food a poison which he knows to be deadly. Hence commentators unanimously render our Lord's metaphor of the "*Oculus dexter*" as a direction, "*ut quicquid sit offendiculo trahatque ad peccatum, licet tam charum et necessarium sit quam dextera manus et dexter oculus, id resecetur et abjiciatur, quantumlibet incommodi et doloris id afferat.*" (A. Lapide.)

Theologians generally expound, and elaborately justify, the marked distinction which they draw between the recidivi *ex causa intrinseca* and those *ex causa extrinseca*. Their treatment of the former, whose relapse is directly traceable to a "*quaedam complexio interna*," "*a consuetudo vere retractata, sed nondum penitus amota*," &c., is, speaking generally, in veritable antithesis with that reserved for the latter. (1) Because "*causae extrinsecae, sensibus jam ad peccandum pronis afficientes, voluntatem multo efficacius ad peccatum trahunt, vividioresque excitant cogitationes, quam causae tantum intrinsecae. Immo: ut causae intrinsecae ad peccatum moveant, necesse habent, ut plurimum, sibi simulare objecta externa.*" The *causae externae* are therefore proportionately—and immeasurably—more dangerous. (2) Because the *occasiones internae* are not so easily removable: sometimes they will successfully resist every effort: and hence *their* presence

and influence afford very frequently no reason for doubting the sincerity of a man's *propositum*. (3) Because the man who adopts against them the "*remedia etiam difficiliora*," and is perseveringly faithful to prayer and the frequentation of the sacraments, leaves absolutely nothing undone, on his part: he thus becomes an object of pity and compassion in the eyes of God—"qui non patietur vos tentari super id quod potestis, sed faciet etiam cum tentatione proventum ut possitis sustinere." (1 *Cor.* x. 13.)

The principle involved in these last two considerations seems, to many theologians, fairly applicable to the case in which the removal of the *occasio proxima externa* is barred by an "*impossibilitas physica*" (instances of which are given by every writer)—and in which "*remediis adhibitis, poenitens adhuc semper relabitur*." It is, however, true that few questions in theology have given rise to a more diversified variety of opinions; and strangely true that the most rigid and exacting of these are maintained by theologians whose boldest characteristic is, in other matters, exceptional considerateness and tenderest charity. Some of them asseverate that men in this, the most lamentable of all conceivable states, cannot be absolved "*nisi in articulo mortis*." St. Liguori—always else so hopeful and sympathetic—protests in fervid words—"Nunquam absolverem eum . . . semper ac absolutio commode differri posset." On the other side, and in the opposite extreme, De Lugo and many with him aver: "Adhuc post experientiam illam nullius profectus, potest stare dolor verus et propositum requisitum . . . Ergo potest absolvi poenitens." Ballerini, adopting the same view, adds as an all-sufficient proof: *Res ipsa clamat* quod ejusmodi dolor et propositum haberi queat post præcedentem inconstantiam experientiam." Layman, Billuart, &c., following in some measure a middle course, maintain that it is the duty of the confessor "*poenitenti præscribere remedia quibus occasio ex proxima fiat remota: quae si negligat, aut vix ulla sit emenda post unam vel alteram absolutionem, non debet amplius absolvi—quia, in his circumstantiis, confessarius non potest formare judicium prudens de sinceritate doloris et propositi*."

Balancing against the rigid teaching of St. Liguori, &c. the volume of extrinsic authority by which the opposite view is supported, we may safely hold that, even should the unhappy man relapse "*post unam vel alteram absolutionem*," "*postque absolutiones aliquoties dilatas*," we are

not yet to abandon him: it should indeed be our rule through life never to give up even the most hopelessly fallen sinner. We should still encourage him to steadily look to the sacrament of penance as the remedy in which all his hopes and chances lay. We should patiently and persistently labour to create or rekindle in him better dispositions. We should watch for and welcome their coming; and when they come—however fitfully and faintly—we should not underrate them because they may seem to originate in such accidental events as physical infirmity, or depression of spirits, or even morose moodiness of temper—remembering that grace not unfrequently enters the soul through most unexpected channels. Should he, to any appreciable degree, correspond with, and endeavour to cultivate, this awakening grace, it will be our privilege and duty to improve the opportunity and strain a point, when possible, in order to confer upon him the strength of sacramental grace. The words of Suarez regarding such a man are very decisive: “*Neque est illi deneganda absolutio, etiamsi iterum iterumque reincidat, maxime si aliquantulum se contineat, et numerum peccatorum paulatim diminuat . . . Interdum vero differri potest absolutio, et major aliqua poenitentia vel cautio adhiberi.*”

When there is question of the “*ocasio moraliter tantum necessaria*,” the teaching of La Croix—“*moralem impossibilitatem vincendam esse*”—will probably be accepted as the only adequate interpretation of our Lord’s words: “*Quid prodest homini, &c.,*” “*Si dexter oculus tuus scandalizet te, erue eum et projice abs te.*” When the occasion arises, we must be absolutely resolute to hazard and sacrifice all that, in the estimation of the world, is most worthy of our affection—if upon making that sacrifice should depend the salvation of our souls.

It is true that Ballerini and very many before him regard the supposition of La Croix as an “*hypothesis chimaerica . . . de qua semper verum erit istam Croixii opinionem nec rationi consonam, nec prudenter ad praxim deduci posse.*” That they contend “*nunquam fieri posse, quod homo ‘nullo modo facere possit, ut cesset periculum proximum.’*” That, while admitting man’s obligation “*ad vitandum proximum periculum,*” they assert that this *can at all times* be effected “*duplici modo, nempe vel utendo mediis opportunis, vel removendo occasionem.*” That the penitent “*ad alterutrum tantummodo tenetur;*” and that

the "*Confessarius nullo jure hoc potius imponat quam aliud.*"

The argument of Ballerini would be conclusive and the hypothesis of La Croix a "*chimaera monstrosa*," if the changing of the proximate into a remote occasion were always possible, not merely to grace, but also morally and with practical and promising availability possible to man when his time for co-operating with that grace should come. It is quite true that if the penitent "*animum inducat opportuna imo et necessaria adhibere remedia, divina gratia adjuvante, mandata servare possibile est*;" it is equally true that he has the "power" to employ these remedia—otherwise his disobedience would not be sinful. But here we are speaking, not of a power that is purely theological, but of the expedite power which man possesses in *sensu composito occasionis proximae*. Beyond controversy it is chronicled in the experience of every other day that, in the miserable realities of life, the "*alia lex*" not unfrequently exercises a (humanly speaking) irresistible dominion "*in corpore hujus mortis*." Men are easily found so enthralled by evil habits, so inextricably immeshed in temptation, so absolutely helpless in the presence of the danger, that their fall is assured, if they fail to find safety in flight. And these are oftentimes men who have prayed with all the fervour of which they are capable; who have mingled with their entreaties copious bitter tears, shed not alone in apprehension of the temporal ruin that was impending, but sanctified in the shedding by a nobler motive. Their prayers and benefactions seemed always fated to be refused; and they themselves seemed to verify in their own persons the doctrine that denies sufficient grace to some. He would be a cruel friend who would counsel them to experiment in "*media opportuniora*," for they had exhausted all that lay within their compass along that "*alternative*" route. No doubt the mercy of God has frequently raised up and carried men in triumph from the conflict—a rescue which is popularly regarded as a "*miracle of grace*;" but, be assured, you will sometimes meet with victims who fell solely because they refused to fly, and who nevertheless do not reveal any of the characteristics of the "*chimaera*."

One cannot help believing that he has failed to grasp the full force of the argument put forward by these theologians; for, to a superficial reader, it seems a palpable fallacy. "*Si poenitens ad alterutrum tantummodo teneatur obligationi suae satisfacit si, e duabus viis evadendi*

peccati periculum, alterutram eligat ac teneat." And again: "Poenitens utique ex lege naturae tenetur ad vitandum periculum proximum. At vero cum id obtineri duplici modo possit, nempe vel utendo mediis opportunis, ut periculum fiat remotum; vel removendo seu fugiendo occasionem, poenitens ex lege naturae ad alterutrum tantummodo tenetur. Ergo confessarius non potest illi hoc potius imponere, quam illud. Ratio est, quia confessarius non est *legislator*, atque adeo . . . non potest poenitenti quidpiam praecipiendo imponere ad quod poenitens quapiam alia lege non tenetur." (Ballerini.)

No one can deny that the penitent is free to select whichever of the two routes he pleases, provided he is assured that the route he has chosen will *de facto* lead him in safety to the point in which both routes terminate. He should, however, recollect that it is in the *actual reaching* of that point, and by no means in the *commencing of a journey towards it*, that his obligation lies. Should he therefore at any time discover that the way he has chosen—though smooth and easy for others—does not in point of fact conduct him to the appointed goal, "*rationi consonum est*" that he "try back," and alter his choice. *Finis coronat opus*. The argument assumes throughout that, of the two roads leading to *Fuga Periculi*, a particular one is easier and more pleasant for all men without distinction; and that whoso could not travel by it is a "*chimaera*" and no man. Be it so: but if the "*chimaera*" is bound to accomplish the journey somehow, he is bound to engage whatever difficulties may beset the only path along which he (and his peculiarities) can travel. We may compassionate and condole with him: but dreadful would be our responsibility if we failed to point out, and bid him resolutely take, that narrower path.

The "test cases" usually put forward by theologians of the *milder* school present little difficulty, when examined under the light of acknowledged theological principles—as when they adduce instances in which the *occasio proxima* cannot be deserted "*sine peccato, ut militia respectu militis; ars respectu patrisfamilias, ex qua sola potest providere necessitatibus familiae; vel quae deseri non possunt sine gravi detrimento famae vel fortunae, &c.*" The soldier, these writers object, would, in the hypothesis of *La Croix*, have no choice, being constrained by his oath of military service to spend his years under the flag, although

that service be to him an *occasio proxima peccati*. To desert it would involve the guilt of perjury—which is always a mortal sin—and bring upon him perhaps the severest penalties, sometimes no less than death. It would thus appear that, should we admit the supposition of La Croix as possible in the army, salvation would be unattainable by those men, “*qui nullo modo possunt facere ut periculum proximum fiat remotum.*”

We answer that salvation would still be attainable by such men, “*removendo seu fugiendo occasionem*”—a procedure which, under their circumstances, would become lawful. We find it explicitly ruled by the Fifth Council of Rome, held under Pope Gregory VII., that “*quicumque miles, vel negotiator, vel alicui officio deditus, quod, attenta subjecti fragilitate, sine peccato exerceri non possit . . . cognoscat se veram poenitentiam non posse peragere nisi arma deponat ulteriusque non ferat . . . vel negotium non relinquat, vel officium deserat.*” (*Apud Collet.*) Theologians unanimously hold that “*Lex divina positiva, et humana, votum et juramentum, non obligant generatim cum gravi detrimento spirituali.*” (*Ferraris.*) They also unanimously affirm that “*in concursu duorum praeceptorum insociabilium, servandum est majus prae minori, quod tunc obligare desinit.*” (*Gury i. 106.*) Billuart adds: “*In omni juramento promissorio, quantumvis absolute prolato, subintelligitur quantum in me est, seu, si potero; et haec conditio excludit non solum impotentiam physicam, sed etiam moralem quae habetur quando res non potest fieri sine peccato.*” The difficulties of this “test case” are thus dissipated, and we may hold, with very many theologians, that his oath of military service ceases to bind the soldier, in the circumstances of the hypothesis; and that he is obliged to risk the penalties of desertion rather than suffer the loss of his soul.

The same overruling principles run, like golden threads, through the solution of the other cases, and are all easily derivable from the comprehensive words of the Gospel: “*Si dexter oculus tuus scandalizet te, erue eum et projice abs te . . . Quid prodest homini, &c.*” The duty of saving one’s soul is the *unum necessarium*; and, in collision with that one, all other duties fade away into non-existence like the figures of a dissolving view.

We have assumed throughout that the penitent has, after mature deliberation, and the taking of prudent counsel, and the making of all lawful experiment, finally

satisfied himself that he “*nullo modo potest facere ut periculum proximum fiat remotum, et quod periculum formale aliter quam fuga excludi non potest.*” But all theologians maintain that he is fully justified—nay, that he is frequently bound—to exhaust even still every practically possible means of escaping the necessity, and that the obligation of making the sacrifice does not arise until these remedies have unmistakably failed. It is quite conceivable that each case may, when carefully and earnestly scrutinized, reveal some perfectly feasible expedient by which the “*moralis impossibilitas*” may be, at least in part, eschewed, and the proximate danger happily averted. Such avenue of safety the penitent is bound promptly to seize upon, especially when it affords him the means of fulfilling his obligations to others. Take for example that instance of extreme difficulty mentioned by all theologians, namely, the “*Chirurgus qui in medendis &c., pluries peccat.*” The first and obvious suggestion—after having exhausted the general ones—would be, “*fiat maritus.*” Should the *periculum formale* still inexorably pursue him “*etsi jam maritus,*” there are many other branches of his profession to which he may devote himself, and in which, labouring at a disadvantage for conscience’ sake, he is surely bound to succeed.

Or take, as another illustration, the case sometimes given in theological works, but (eheu, dolendum!) too frequently met with, in which the *necessitas physica* and the *necessitas moralis* unite, the shades of difference so blending, one into the other, as to form one compound impossibility. “*Aegrotans qui, ob imminentem mortem, neque in Domum Pauperum nec alio moveri valet: cujus unica ministra est ipsi occasio proxima, quam tamen, quantumvis velit, nec fugere nec expellere potest; qui adeo derelictus est ut aliam non habeat e cujus manu medicinam, cibum, aut potum accipiat.*” Gury, Bouvier, &c., say: “*Secluso scandalo, absolvendus est et aliis sacramentis muniendus, modo vere contritus judicetur et promittat se illam ejecturum esse, statim ac ad sanitatem redierit . . . nemo quippe ad impossibile tenetur.*” St. Liguori says of solutions such as this: “*Unusquisque suo sensu abundet.*” But is this a full discharge of our obligations *in casu*? The following more detailed treatment is suggested by others, and may possibly commend itself:—*Ex hypothesi aegrotans est pauper simul et morbo confectus: alioquin non nisi in ipso mortis articulo ante absolvi*

debut, quam occasionem expulisset. In casu tamen : (1) Ex licentia aegrotantis, fac ut mulier statim confiteatur. (2) Fac, si possibile sit, ut ipsa quasi sponte aliam coadjutricem invocet, cui saltem principaliter cura infirmi mandetur. (3) Si alia remedia frustra adhibita sint, fac ut nuptiis privatim uniantur. (4) Si hoc ultimum impossibile inveniatur, esto instans importune, opportune, cum infirmo—jam, in quantum potes disposito et absoluto—orans, vigilans, adhortans, &c.

Another case of supreme difficulty is also sometimes given: "Aegrotans qui in domo parentum post breve moriturus jacet; cujus ancilla est ipsi periculum proximum formale, quod tamen expelli nequit quin utraque pars gravissime infametur, parentesque dolore amarissimo opprimantur timentes ne filius detrimentum animae suae jam passus est." Gury (Cas. Consc.) says: "Obtinenda erit a moribundo promissio dimittendi ancillam, si convalescat, et interea curandum est ut fiat separatio saltem ab habitaculo, atque ut ancilla ad eum non accedat, nisi urgente necessitate." Again, we may say with Saint Liguori: unusquisque suo sensu. But those who profess to speak, tristissima experientia edocti, are not satisfied; and very much prefer the following counsel given by the author last quoted in the former case: (1) Ancillam imploret jubeatque moribundus ut quam rarissime ipsi adsit, et nunquam nisi praesentibus aliis. (2) Si huic ordinationi non obtemperetur, eas simulet querimonias aegro cuivis plerumque consuetas, aliamque—propriam matrem vel sororem—in ministerium quam importune postulet. (3) Si absentiam ancillae aliter procurare nequit, ingenue parentibus confiteatur illius praesentiam ipsi in grave periculum esse, impetretque ut ab oculis ejus benigne amoveatur. This or a similar course would seem—when adopted through necessity—more in accord with the divine philosophy involved in the words: "Bonum tibi est ad vitam ingredi debilem vel claudum, quam duas manus. vel duos pedes habentem, mitti in ignem aeternam." (*Matt.* xviii. 8). Better go to heaven leaving behind the wreck of an infirmity manfully confessed and conquered, than cravenly carry away to the other place a false and unmerited reputation.

The occasio *voluntaria* is, as the word implies, that which is procured by an act of the will, or which—no matter how it has been brought about—may be dismissed by an act of the will. The eliciting of that act by which

the occasion is removed, may indeed cost a decided struggle and also involve a serious embarrassment; but as long as no physical or moral impossibility interposes to prevent its removal, the occasion is said to be voluntary. It may be difficult to dissociate oneself from the companionship of other men, intercourse with whom has helped to make life enjoyable, or from whose conversation we have derived intellectual or even spiritual benefit; it always involves a more than sentimental sacrifice to firmly and finally discontinue visiting the house of a friend, particularly when the only remaining alternative is to spend the long dreary evenings at home in solitude, or—worse still—in the very focus and fire of domestic unpleasantness; it is no easy matter to do anything or everything that is, even by one line, less than physically or morally impossible; nevertheless if in these surroundings we find *pericula proxima formalia*, they constitute *voluntariae occasiones peccati*, and are to be dealt with as such. The line of demarcation between the *moraliter impossibile* and the *simpliciter voluntarium* is very slender; and we may lawfully infer from a proposition condemned by Pope Alexander VII., that the occasion remains voluntary, even though the removal of it should involve such “*incommoda gravissima*” as “*taedio magno affici, valde aegre vitam postea agere, quae ex iudicio Medicorum, sunt morbi graves, ex quibus multi contabuerunt.*” (La Croix.)

For many obvious reasons nothing further would be desirable in this paper than to recall to the memory of those who may have read it thus far, a few of the detached principles which experience has proved to be of use. Some of them have reference to the voluntary occasion only; others to all that has been already written as well.

The definition of *Occasio Proxima* given by Cardenas, Billuart, &c., will be generally accepted for its simplicity, exhaustiveness, and practical usefulness—“*Illa in qua quis positus verosimiliter vel verosimilius peccabit.*” Hence *absente probabilitate lapsus, non datur occasio proxima*. This probability must be derived “*vel ex objecto periculoso, vel ex cognita subjecti fragilitate, vel generatim ex utroque simul.*” We must, in all cases, pay special attention to the *occasio relative proxima*, *i.e.*, “*proxima respectu hujus in individuo, licet respectu aliorum sit tantum remota.*” What would be an *occasio remota* for all other men might be easily enough an *occasio proxima* for this one. On the other hand, should any one assert that what was an *occasio*

proxima for all other men, was an *occasio remota* for him : “non est absolvendus si in illa, sine causa justificante maneat.” This would be a mere *amor periculi*, and an unnecessary exposure to mortal sin. Hence, whatever is *per se* a proximate occasion, must be always most rigorously forbidden. Again : it will be well to remember that—“Non tanta est necessitas fugiendi occasiones peccatorum illorum quae aliunde quam ex passionibus aut infirmitate adesse solent, v. gr. quae neque ex gula nec ex luxuria proveniunt.”

Having made these preliminary observations, we may transcribe the following universally acknowledged laws :

I. “Nunquam absolvendus est poenitens qui recusat deserere occ. prox. voluntariam peccati, sive occ. illa sit prox. *per se*, sive *per accidens*, sive *in esse*, sive *non in esse*. Constat ex propositione damnata ab Innocentio XI.” (Gury.)

II. *Generatim* loquendo, si agatur de occ. prox. *in esse*, quae facile dimitti statim possit, poenitens, etsi *promittat* sincere se derelictarum esse occ. prox. peccandi, non possit absolvi antequam eam deseruerit.”

Billuart judiciously appends to these laws an observation which should always influence us :

“Confessario merito debet esse suspectum propositum illius qui, *quum sciret antequam ad tribunal accederet occasionem esse dimittendam* et potuit dimittere, *non dimisit* : et supposito quod propositum foret sincerum, *non est verosimile* quod, *attenta occasione, sit efficax*. Unde qui versatur in occ. prox. *in esse* . . . quam et physice et moraliter potuit et potest deserere, regulariter non est absolvendus nisi de facto deseruerit, quantumvis nunc promittat eam deserere.”

St. Liguori seems to modify the rigour of the second law in favour of the man “qui ad eundem confessarium redire non potest, vel saltem non nisi post diuturnum tempus.” But he adds another proviso which practically restores almost all the rigour : “Si tamen poenitens det signa extraordinaria doloris, *adeo ut* credi possit abesse periculum inconstantiae in proposito.” This confidence we absolutely can never have unless the penitent satisfies us that his *very first act*, after returning, will be the removal of the occasion. Experience proves that, if he get time to estimate the “*commoda, utilitas et bonum*” of changing his mind, he will do so ; and such experience makes men not unreasonably incredulous. Layman, &c., tell us that it is scarcely ever lawful to secure the fulfilment of the *propositum* “*voto aut juramento*.” 'Tis almost a pity—unless this be one of the exceptional cases.

Very generally it is held that if the promise to remove the occ. prox. (not *in esse*) be supported by a *signum extraordinarium*, we may absolve *bis*, aut *ter*, aut (*secundum quosdam*) *quater*; but the *signum* that would be sufficient for ordinary *recidivi* will not be always enough: it must be proportioned to the increased danger which it undertakes to subdue.

For the closing of this unpardonably long and desultory paper a word has been reserved regarding that "*malum ubique grassans*," which is treated of, under various names, by almost all who have written on this subject. It is indifferently designated "*conversatio amasiae cum amasio*," or "*malum consortium*," &c. These writers usually distinguish between the cases in which this "*conversatio*" occurs "*intentione expressa nuptiarum*," and those in which no such intention is found. In the former case, Gury (*Cas. Consc.*) permits it "*si solum coram parentibus vel amicis [adde: probatae virtutis et provectae aetatis] se invisant, quod tamen enixe est commendandum, quantum fieri potest. Occasio enim illa simpliciter necessaria dicenda est, modo non plus aequo protrahatur . . . Nunquam solus cum sola conversetur, nisi per accidens.*" In the latter case, *conversatio* hujusmodi, praecipue solius cum sola, penitus exterminanda; neque uni vel alteri ex partibus danda est absolutio, si post unam vel alteram absolutionem *vel a te* vel ab *alio quovis confessario* collatam, *conversatio* illa voluntario continetur. Nec refert si *conversatio* sit cum diversis: imo, hoc majus peccatum, quia pluribus scandalum aestimandum est. Absolutio iis differi debet usquedum consortium illud prorsus cessat, nec aliter etiam tempore Paschali aut Jubilaei absolvi possunt. St Liguori somewhere else justifies the postponement of absolution "*ultra quindecim dies*": in this matter we need have no difficulty in sometimes postponing it over two—sometimes over more than two—periods of this duration. Many find it occasionally useful "*quum aliqua notabilis emendatio supervenerit*" absolvere, sed non permittere ut ad S. Communionem accedant: occasionally it is a decidedly good practice in which it would be hard to find anything theologically unsound. Quousque enim poenitens vel non absolvatur, vel ad S. Communionem non admittatur, sub manu Confessarii existit, sicque cogi potest ad occasionem dimittendam. Coactio quidem non est dispositio pro sacramentis, sed, removendo obicem, ad dispositiones salutariter conducit.

The tendency of the views expressed in the foregoing paper is confessedly towards rigorism; but the writer feels that he is justified in advancing them, firstly, because he is convinced of their greater truth and practical usefulness; and secondly, because of the manifest wisdom of La Croix's words: "*Confessarius tenetur eas sequi sententias quae sunt, in primis pro valore sacramenti. Deinde, quae sunt pro majori utilitate poenitentis, agit enim vices Christi, qui hoc sacramentum instituit eo fine ut prosit poenitentibus. Praeterea, si possit, debet sequi tutiores, nam sine justa causa se vel poenitentem exponere periculo erroris, quantumvis materialis, est imprudentia.*"

C. J. M.

NOTES ON VACATION.—No. II.

AN especial charm of this southern coast scenery is the number and beauty of its rivers, most, if not all, of which are navigated by small steamers, which make them accessible to the passing tourist, and reveal beauties of such varied characters that the contest is always raging between their different admirers as to which is the most beautiful, the wildest, the grandest, the most inviting, and the most repaying. "Who shall decide when critics disagree," and when artists are as difficult to reconcile as hurrying tourists?

These rivers, at some places, lie hid, and have to be sought out, at others they are obvious enough; but there is generally a simple guide even to the most obscure—which at times are the most charming—in the name of the place where they debouch and finish their course. The town, village, or city takes its name from the river which there attains its end, when it reaches its mouth; and so we have Exmouth, Dartmouth, Plymouth, Falmouth, and numberless other mouths, which guide us to the streams of varied charms which do so much to make this flower garden of England so beautiful. The town may have overgrown, and almost put out of sight, if not out of mind, the river to whom it owes its name. The vast docks and arsenal in one place, the fashionable esplanade in another, may seem to look down upon the quiet, winding and overshadowed river; but to that ancestral stream each

owes its very existence. At first a few cottages clustered at its mouth, a fishing station followed, and then a shipping trade sprung up, or fashion brought its wearied votaries for the balmy breezes and the calm, which is health alike to body and mind to those who know how to use it. And while all else has changed with the varying fortunes which attend and characterise the work of man, the primeval river has retained much of its ancient character, and flows on unchanged in its old course, in its old manner, as wayward in its wanderings, as careless of the length of its march, and as indifferent to the time it takes in reaching its end, which is that mouth that has seen so many changes in the comparatively few years in which it has had a name; for in that river's life these intervals are as nothing. Perhaps this is one reason why the paths that wind along the banks of such rivers are so inviting, why gliding over their waters has such a charm for those who visit, and at times weary of, the fashionable promenade in one mouth, and the busy harbours and narrow streets in another.

It is going back at once to primitive times, not indeed so abrupt a plunge into antiquity as a torch-light visit to Kent's Cavern implies, but still a passing out of the noisy or frivolous present into the quiet past, a tasting for at least a brief interval of the calm which ever comes from intercourse with nature. Not of course that we are to expect to pass at some given point a line that separates the past and present. The place that has grown up at the river's mouth extends its influence, and carries many of its peculiarities some way at least up the stream; further when these are broad quays and much shipping, than when the natural beauty of the spot has drawn less obtrusive visitors, who are content to nestle among the recesses, and to plant these pleasant houses on "coins of vantage." But would we glide quietly over the winding waters, or stroll undisturbed with rod or sketch-book along the shaded banks we must trace these rivers further home to their source, and get at least out of the reach of the shrill whistle which proclaims the advent of the toiling, noisy, engine, that by rail or boat hurries the traveller past beautiful scenery, and away from the spots where he would do well to linger. But for those who have not time or leisure for such wanderings and who do their best to see what they can under the many disadvantages of haste and noise, glimpses of some of these rivers, at least near

their mouths, may be caught from a passing train, or by a brief voyage in an excursion steamer.

Between Exeter and Torquay, the estuary of the Exe is skirted for some miles, and though it has no romantic views to show, the broad and placid waters have a grandeur of their own, and a charm of freshness which owes perhaps much of its power to the inland, dusty journey which has been undergone to reach it. Then the Teign places the broad barriers of its waters right in the way of the train that runs along the shore of Teignmouth, and so the line turns inwards until the estuary narrows into the river, and it is crossed. At Dartmouth, the beautiful river which gives its name and importance to that quaint old-world town, is traversed by a steamboat which runs up to Totness, some ten miles or more, and affords the traveller a view of some very picturesque scenery, of which Devonshire is not a little proud. So again at Plymouth and Falmouth, the Tamar and Fal are, at least in their lower reaches, excursion waters, and have charms to reveal of which the Dart may well be jealous. But at the best these are but unsatisfactory ways of enjoying river scenery. The crowd, the noise, the restricted space, and the many ills—not forgetting, if any could do so at the time, that of smell—distract the mind and worry the temper, and so unfit the prisoner for what pleasure the scenes visited afford; and make him almost wish for the return of those long-passed days when, if people travelled less far, they had more time to enjoy what they visited; and where, what in these railway days seems almost impossible, they were their own masters, and regulated their own time and its occupations.

That steam-power is growing daily more noisy in its action, and more overbearing in its claims upon our obedience, seems to be a recognized fact. But perhaps some allowance should be made for what we may call, this frame of mind in the monster that has been of such use, and in whose power we at present feel ourselves to be. The brute may begin to feel that his days are numbered, and that his power, which he has used so tyrannically and offensively, will soon have a rival to cope with, possessing a might as great, without any of those drawbacks which make steam so disagreeable and dangerous.

Electricity is advancing from a toy to a mighty power. From being the plaything of the class-hall and the pet of the lecture-room, it will soon be our chief, if not our only arti-

ficial light ; our chief, if not our only means of communication, and that not only between place and place, but between man and man. Light without heat, correspondence without pen and paper, travelling without danger of explosion, noiseless, smokeless, scentless ! No wonder the elder power, so rude, so fierce, and so wilful, begins to fear and to foresee a coming master that will honour steam by employing its services in menial work, and supersede it in most of those higher occupations in which it vaunts its titantic might, and flourishes its powerful arms. If it is so, as surely it seems to be, we may bear a little longer with the old servant, humouring it and excusing occasional presumption, as is usual with such faithful if tiresome retainers ; and brace our courage up to bear with equanimity the taunts of the coming generation, who will not fail to laugh at what they will call our old-fashioned way, and tell, what will then seem almost incredible stories, as to what we suffered when steam was king with noise, smoke, and foul smells as his never-failing attendants.

As they glide along on the noiseless line, reclining pleasantly in elegant drawing rooms, lighted at need with the soft beam of the incandescent lamp, and gay with flowers, which owe their surpassing loveliness to the perpetual glow of the electric light, or wandering at their pleasure, from end to end of the train, to the well-furnished refreshment room, or on to the balcony for a more extended view than the large windows can afford ; as they glide silently into the comfortable station, where their approach is recorded by the quiet gliding of the mark on the *plan* within the office, that shows how the train has made its journey, where it has stopped, and how it is now close at hand : how will they smile when some antedeluvian traveller, some relic of our day, will tell them of the boxes into which we were closely packed, in rows facing front and back, gazing wearily into one another's faces, or hiding our own by ill-lighted newspapers, or cricking our necks by turning them aside to get an awkward view of the scenes flitting, not before, but besides us. And when he tells of the bells and engine screams, which make day and night alike hideous, of the smoke at times forcing itself into the carriage, or the attempt at a brief release from the cramped posture by a hasty descent on to the crowded and luggage-encumbered station platform, and the risky rush for boiling tea and stale refreshments, how will they sip their coffee at their ease, and wonder how men, calling

themselves civilized, could have submitted so long to such slavery, and have ever found courage to travel under such hard conditions.

Perhaps we are unjust in our complainings, especially when we have at our service so good a train as the "Flying Dutchman," and while we are using it for our run through Devonshire. We shall think better of it, it may be, when we get beyond its line of march, and have to resort to far more primitive means of travel, during our wanderings in Cornwall, of which we have now to tell.

And now, after a pleasant week at charming Torquay, we resolutely set our faces to the far south-west, and start for Cornwall—not a very desperate resolution, the gentle reader may say, seeing that it only implies a drive to the railway station and a pleasant run of a few hours by the express. This is true enough; but nevertheless we somehow feel that there is more in it than these words imply. Some few years ago we attacked Cornwall on its northern frontier, and penetrated as far as Bude. Heavy rains then and there stayed our march, we shrunk from the roughing of an outside coach-journey, and so chose the comfort of an inside railway carriage, and skipped Cornwall by passing round it from North to South Devon. We never quite forgave ourselves for this cowardly retreat; we pleaded the terrible upland of the (to us) unknown wilderness, and the fierce rains and heavy fogs which, we were told, ever drenched and bewildered the venturesome explorer; but it would not do: we owed it to ourselves to recover our reputation and to wipe out this blot upon our travelling character. So now, when we cannot go abroad for fear of quarantine, if not of cholera, and after having read in the *English Illustrated Magazine* that one of the best among its many admirable and well-illustrated papers, "*An unsentimental journey through Cornwall, by the author of John Halifax Gentleman.*" we resolve at length to face the unknown and mystic land. We are in truth ashamed to retrace our steps to Bude, and renew the invasion at the spot from which we had so ignominiously fled, so we come down straight to South Devon and make our entry through the southern boundary. We had not forgotten all that we had read and heard of the wild inland wilderness, with its deluging rain and impenetrable mists, but somehow these had now lost much of their terror. This wonderfully bright and dry summer has done its work in dispelling similar

terrors in Devonshire, and when Dartmoor is dry and bright—Dartmoor of which a poet sings

“The west wind always brings wet weather,
The east wind wet and cold together;
The south wind surely brings us rain,
The north wind blows it back again,”

surely we may look for fine, clear and sunny weather even on the uplands of Cornwall. So to it we went, and found it to be all we wished, and brighter even than we had dared to hope.

We have called it an unknown and mystic land, as indeed it is, and herein lie two of its special attractions. It sounds absurd to call an English county unknown in any real sense; but somehow Cornwall is not like any other part of England. It has a people of its own, and a language which has hardly yet passed away, still making itself felt in words and intonations which have quite a foreign ring in them. It has, moreover, a hagiology quite distinct from that of any other county, the guide-book giving in its index upwards of sixty names of Saints who find no place in Alban Butler or in our Calendar; while over and above, and encircling all, are the ancient traditions and the mystic lore of that old-world literature which lives as much in word of mouth as in written records, wherein “*Arthur and his table round*” hold a chief place; for here Tristram and Isolde once lived, here Mark reigned, and here Uther Pendragon won so mercilessly Ygerne, and became the father of Arthur the blameless king.

All that love the *Idylls of the King*, (and who that knows them does not?) will ever have a love for Cornwall; will picture to the mind the scenes which Tennyson has brought home to us and made them once more to the present generation what they formerly were to our ancestors, and what they still are in Arthur's Land; as real a history as any that has been recorded—as real, that is, in their truth of feeling, in their high aspirations, and in their bitter disappointments, in their human character, in its highest as in its lowest, in all, in short, that make real men and women, and so raise them far above the puppets and shams with which so-called history is too often filled.

So with Tennyson in our hearts, if not in our hands, we cross the frontier over the Tamar, and enter Cornwall.

The River Tamar, which separates South Devon from Cornwall, is a noble estuary, so has to be spanned by a

bridge of corresponding grandeur, and such indeed is Brunel's masterpiece. To say that it is 2,240 feet long and 260 feet high does not, perhaps, convey so clear an idea to the mind, as the fact that it is upwards of four hundred feet longer and thirty feet higher than the magnificent tubular railway bridge which spans the Menai Straits at Bangor. Moreover, it is an open bridge, and so reveals its beauty and grandeur to the traveller who crosses over, and still more strikingly to the voyager who sails beneath it.

Onward the express train rushes: ere a place is noted in the guide-book it is passed: now a tempting valley is crossed by a high viaduct; then something notable, a church of ancient renown, a family seat that has its place in history, or it may be some extinct Cornish mine, with heaps of *debris*, crowned with a roofless building, telling of what is now as much a part of bygone history as the manor-house that nestles amid venerable trees. But now we come upon a valley along which our road lies, and beautiful indeed is this Glynn Valley, whether looked down upon from a lofty viaduct, or traversed at what is either a lower level or a rapid rise in the undulating country, which is here superbly wooded; where trees are not only plentiful, but have that luxuriance of form and foliage which tells of mild winters and moist summers.

Bodmin Road Station is passed amid this fine scenery, with pleasant anticipations of what it has in store for us on our return. Now the Valley of the Fowey leads us onwards until we find ourselves close upon the seashore at Par, and boldly dashes the train across its harbour. But why linger over names so strange and quaint, St. Blazey, Lostwithiel, St. Anstell (St. Auxilius), Grandpound—each with its legend, its antique church, and many with those marvellous tin and copper mines, which once made Cornwall so rich, and now make many portions of it little better than a howling wilderness—evidently these are places to be seen and lingered over, not mere names to be catalogued.

Here we are at Truro, the capital, and now an episcopal city, with that rare sight in modern England, a Protestant cathedral rising in its midst. But now we pause only to change our train, and to go by a branch to our first resting place, Falmouth.

Of course Falmouth is the mouth of the Fal, whose pleasant waters, amid picturesque banks, join it to Truro. Now our way is the railway; soon it will be by steamboat.

We are lucky in quartering ourselves at the new Falmouth Hotel, and so we avoid the discomfort of an old house, in a narrow street of this not over-clean seaport. Old hotels are pleasant resting places in quiet and clean towns, when they are not commercial; but here we are in a noble mansion, in the midst of good grounds, with a view—sufficiently distant—over the town. from one side; and on the other, the sea, washing the cliffs upon which the hotel stands, with a fine line of bold coast—real and unmistakable Cornish coast—stretching on the right as far as the eye can reach, and on the left the bold promontory, crowned with Pendennis Castle, marking and partially concealing the noble entrance into this, one of the grandest harbours in England, for it is four miles long and one wide, and as beautiful as it is grand, as it lies embowered in rich woodlands, up which it shoots its little creeks, that bear its bright waters into many a sylvan glade.

The weather is beautiful but intensely hot: yet who can content himself with looking out upon a scene so fair? A stroll—very slow, yet fatiguing enough—leads us up and around the headland which is not so much crowned as occupied by Pendennis Castle. A round tower by Henry VIII., enlarged by Elizabeth, surrounded by those characteristics of ancient forts which are such a puzzle to the uninitiated, all are here: and that there is a garrison we know, for did we not see some soldiers looting or cultivating cabbages, and did we not dine with the general, or captain, in command? There is another castle on another headland, St. Mawes, which helps our castle to guard the mouth of the harbour, and fine and broad is the noble sweep of water up and down which gallant vessels have sailed, in days when history was made more emphatically than now, though perhaps never more prosperously, nor in greater numbers, than at present, in this earnest, if unromantic, nineteenth century. We stroll in the evening through the narrow winding streets, where the smell is fishy and the people amphibious. Our next day's occupation is settled for us, as every one, it seems, who has a single day to spare, devotes it to an excursion to the Lizard Point. A four-horse drag is at our door in a bright sunny morning—when indeed is there a morning this wonderful summer which is not bright and sunny?—and as we wend our way through the high street, which is to-day unusually crowded with a market, we pick up fellow-wanderers who are also intent upon the Lizard.

It is a pleasant but not very interesting drive to Helstone—the place has a legend which is either the cause or effect of its name—and thence, some eight miles, to the extreme southern point of England. This is perhaps the especial charm of the Lizard Point; it is so very definite a point: “nothing beyond it,” says the Briton, while there he stands and looks out upon the broad waters that gird his island, and knows that further south he cannot go without leaving home. From that point winds inwards Mount Bay, whose furthest extremity is the Land’s End, that is the extreme west end; but here at the Lizard we have the southern extremity of England.

We have left the beauties of nature behind us, at least its sylvan charms—the deep valleys and the abundant verdure; for now that another aspect of a grand and stern character is about to display itself, nature puts on an accordant form, as though to prepare our minds for what is to come.

It is a rough and barren wilderness through which we drive to this storm-beaten coast; indeed it could not well be otherwise, for what could find root amid these barren moors, or what could hold its own thereon against the fierce tempests which sweep over these uplands? These tokens of the frequent presence and terrible power of storms prepare the mind for the stern character of the coast we are approaching, and these alone; for nothing can be seen of that coast itself until we stand on the very cliffs themselves, and see into what strange and fantastic forms the wild tempests have carved them. This makes much travelling in Cornwall depressing, but should not make it disappointing, at least if we bear these facts in mind. It is the penalty we pay for the delight we are to enjoy. We cannot come among the works of the great powers of nature without seeing in them their destructive as well as their creative force. The moorland must be swept into dull, barren, shapeless uniformity by the force that tears the granite and serpentine into pinnacles and rugged headlands. And yet, as we cross the moorland in the bright sunshine, with scarcely a breath to ruffle the calm waters, we feel that even here nature must have another aspect; that summer must somehow nestle amid these fierce tokens of wintry wrath—that Naiads may sport where Titans have wrought so grandly; and while the thought is yet in our minds, the carriage stops, and sundry guides present themselves at a dreary cross-road or track,

and invite us to get down and hasten at once to Kynance Cove, if we would see it at its best.

Now, of Kynance Cove our guide-book says, "a spot to be seen, to be painted, to be dreamed of, but not to be written about." And then, of course, it writes about it briefly as follows: "Here is an insulated rock, called Asparagus Island, from its growth of *asparagus officinalis*, pierced by a deep fissure, the Devil's Bellows, through which a jet of water is occasionally forced, by compressed air, with a tremendous roar. A similar spot is called the Post Office. Three caverns in the cliff are respectively named the Parlour, the Drawing-Room, and the Kitchen. The rocks are of high interest to the geologist. Serpentine is largely collected here. Upon one of these rocks the Queen landed in 1846."

What more can be said? The physicist, the botanist, and the geologist are all supplied with the needful information, while the royalist has the final paragraph for his delectation. What can we add, save our imprimatur upon the catalogue, as to its accuracy if not to its completeness; and yet somehow or other it did not give us any idea at all of Kynance Cove, which evidently is "not to be written about."

We selected our guide, or rather were selected and taken possession of by one of them, and were marched off in triumph by our captor at a good pace to see what was to be seen. Over the withered heath we raced, down a deep gulley on to an overhanging rocky platform—where our guide had a combination of hotel and museum—and thence down some rough steps on to the beautiful sand, which was nearly encircled by the rocks, precipices, and caverns, which are so strangely named in the guide-book.

Rocks, and sand, and caverns, what do these words imply? Everything or nothing—here everything; for the rocks are of serpentine, the caverns of quaint forms, and the sand of dazzling brightness. In spite of the exquisite beauty of the spot, the tiny wavelets scarcely rippling on the strand, and the colour of the serpentine rivalling the azure of the sky and the emerald of the waters, and the red—of what? yes, in spite of all this quiet beauty, our first thoughts are of what that Cove must be in winter storms. That stain of red amid the bright colours of the rocks tells another tale, and gives the beautiful serpentine a sadder meaning. Science has, of course, a proper name for it, but to the mind's eye it is significant of another picture

which may be drawn of Kynance Cove when summer visitors have fled, and the wild moorland is swept by the storm which dashes amid these ruthless rocks the fisherman's boat or the nobler vessel, to paint its serpentine with the bright blood-red stain which adds alike to its beauty and its suggestive power.

Our hurried march had not been meaningless, as the rapid pace of guides frequently is, we were only just in time to visit the various lions of the Cove, and to see it in all its beauty ere the tide rises and washes out its distinctive character, and leaves it a vast cluster of jutting rocks emerging from the unquiet waters. Of course we scramble up to the Post Office and post our pretended letters, which are rapidly swept off for the sea voyage; we explore the caves, climb the Asparagus rock, and contemplate the great Steeple rock, the grandest but yet the unrecorded one in the guide-book.

The tiny waves creep in, so gently that they seem loth to rob us of our playground, and yet so merrily, so *many-dimpled*, as old Homer sang, that they seem to say, this is our home, now while we are so innocent; but would you know our power, see us in winter when we hurl ourselves over these wild headlands, and turn these summer alcoves into chambers of death and destruction. Somehow we cannot get this thought out of our minds, so ill-accordant with the gentle glories and bright flashing colours of Kynance Cove. As we leave we meet late comers who would lunch at Lizard Point before visiting Kynance; prudent people who victual their troops before marching, and so arrive too late at the field of glory. We look back upon the scene from the heights above, but how is it changed; so in a kind of jealousy lest our Cove should be disparaged by those who see it not at its best, we explain the change and get but small thanks for our trouble.

A pleasant stroll along the cliffs brings us at last to the Lizard. This is a small village in which our own and sundry other drags are waiting, and here of course there is a decent hotel, where luncheon seems to be perpetually in demand and supply. The prudent people who missed the beauties of Kynance anticipated us here, and left in truth as little of the original banquet to be seen and enjoyed, as we and the rising tide had left them of nature's feast in the Cove. However, we did not fare badly if not sumptuously, and we failed not to notice the high sense of justice and honour which ruled the authorities at the

inn, who charged us in accordance with what remained for us, instead of, as too often elsewhere, making us pay for what others had eaten. Down the straggling street of some five or six little houses the road runs which leads to the Lizard (*the far-jutting headland*), crowned by its twin light-houses, to which we, poor moths, are drawn, though of course at this hour the lights are not burning; so we leave the road and take to the fields which lead somewhat more directly to that group of buildings that constitute the lighthouses and their accessories. Here we come upon a characteristic which, for all we know, is peculiar to Cornwall. The fields are separated from one another by high walls of rough stones which, being crowned with turf and sufficiently broad, make excellent paths along which all are supposed to walk. At points where the walls are extra high and the top somewhat narrow, the nerves are apt to be tried, especially when the wind is rough; but otherwise the path is pleasant, and surely affords an excellent view over sea and land. By these means the fields are kept clear of trespassers and of paths, so that none of the land just here is wasted, where in truth it is valuable, being an oasis in a barren desert. We are told that the decomposition of the talc, hornblende, and felspar, of which the cliffs are formed, makes soil of extraordinary richness, as it would be accounted anywhere, and therefore here esteemed highly indeed. Out runs the Point far into the sea, of what seem rough and fantastic heaps, but which of course is but the upper edge of the wild cliff that is a promontory worn down into this shape by the wild havoc of the waves. Now all is calm, yet is there a constant roar of the dull waves lashing the caverned rocks in mere play, but which is at its mildest the rough play of giants.

We visit the lighthouse, and inspect the electric light, at least the apparatus, admire its perfect order and great cleanliness, and not less the guardian for his courteous and intelligent attention.

The drive back to Falmouth is cool enough, and so we enjoy the change, and our welcome to a late but excellent dinner. A stroll in the late evening along the cliffs, away from the busy town, is very enjoyable. There is just light enough to see our path, just gloom enough to give an extra height to the cliffs we skirt, and to mystify the outline of coast which stretches far away.

We return to Truro by the river Fal in a little steamboat, which is packed as full as it can hold, and indeed

much fuller than it ought to be. It lingers at the little pier long after its time, and touts for passengers in a most undignified manner. Much grumbling is there on board and almost a revolution when the captain puts back after a start for one more passenger, who most provokingly refuses to hurry his footsteps. The sail from Falmouth to Truro is about twelve miles, and much of it is between wooded heights, which are picturesque in their windings, for the wayward river seems to have followed its own capricious fancy, and to ramble at will amid scenery so charming that it justifies and almost necessitates such meanderings. Towards Truro it loses none of its breadth but nearly all its depth, so that the captain, who is also steersman and chief engineer, has enough to do to find and keep a narrow path, and avoid sundry mud banks, which, fortunately for us, are under water and so just out of sight.

Our course, now the river is straight, is as devious through these impediments as it was before when the clear, unimpeded waters deviated for their own amusement. There is not a breath of air, and yet we have to tack as though against a head wind.

Truro is a thriving city, as it must now be called, in virtue of a really grand cathedral, slowly rising in its midst, and which extending far beyond the fine old church which is developing it, shows that it will soon replace it on the now recognized principle of the survival of the fittest. The city stands well, rising abruptly above the Fal, which here, at least at high water, expands into a noble lake of two miles in length. The climb up to the railway station is a labour not to be forgotten on a day as hot as that on which we made the ascent.

Again we are on the railway, and as we hasten towards Penzance, we pass through Redruth, the capital of the mining district, and see what remains of the ancient wealth-producer of Cornwall. Everywhere we hear the same complaint that the tin mines are exhausted, and that copper hardly pays the expense of working. There is still tin in the land, and it can be brought to the surface; but so long and so diligently have the mines been worked that they have now to be carried to such a depth that the cost swallows up all the profit. Thus the old trade after so many centuries is at last coming to an end, so old that no history tells when it began, but many affirm that the present generation will see the end of it. As for the copper, it is yet plentiful, but it is old enough to dread

younger rivals, and shakes its head at Australia and speculates despondingly upon its future. It seems at first as though the train were going to investigate the mines for itself, for we plunge at once into a deep cutting that looks much like a shaft, then we emerge upon a steep embankment, a sort of gallery, then we tumble down a formidable incline, and spin across a narrow valley, which seem for all the world like the successive stages of a veritable mine, just what we should expect in mines which here sink to a depth of eighteen hundred feet. On we rush, ever forwards and westwards; we reach Hayle, and now the sea is on our right hand, for here runs in an inlet from St. Ives Bay. Evidently the promontory is narrowing, and Cornwall is growing into a neck of land, and soon we see Mount Bay on our left, and here we are at Marazion, a suburb of Penzance, our destination. Marazion has somehow fixed itself in our memory, which in truth is not overstrong with names. Marghasjewe (*Market Jew*) it is called by the people in memory of the Children of Israel who once dwelt and traded there; but by the persecuted race it was called *Marazion*, the Zion that was made *bitter* to them, as indeed in early times most places were. There is something poetical and sad in the very sound of the name of what was to them a home, a refuge, a Zion, but without the security and glory of the real home. It was like the fruit of the Dead Sea, beautiful to look upon, but ashes in the mouth. The ashes, the persecutions have passed, and the beauty remains; yet still the plaintive wail rings out and still it is Marazion. However, we do not stay here, but go on to Penzance, partly because it is the most westerly town of England, and so in harmony with our seeking out the extreme points and places, and still more because it is the pleasanter head-quarters to rest in, and the nearest place to the Land's End, which is our next point of exploration.

Mount Bay, or more properly speaking, St. Michael's Mount Bay, is a deep indentation in this south-west coast of England. Its eastern point is the Lizard and its western is the Land's End, though neither of these points are visible from Penzance which lies deep in the bay towards its western extremity. This quiet nook, if so wide a bay can thus be called in virtue of its depth, is as smiling and fertile as the wild coast land which surrounds and protects it, is stern and barren. The giant which clasps it in its strong arms is here as gentle and self-sacrificing as

atender and loving mother. In truth, it is a very pelican of a giant, for it feeds and nurtures it with its life blood, and out of its own unprofitable life, by its very death and decay produces vigorous and abundant existence for that which it so fiercely and yet so tenderly nurtures. To speak more scientifically, here, as at the Lizard Point, the decay of the ingredients of which the cliffs are composed, produces a fertile soil, and so Penzance is celebrated for its garden produce of fruit, vegetables, and flowers above most places in England; and in its beautiful walks, its deeply-hedged lanes, its gentle flower-clad heights, its well-wooded recesses, its balmy scent-laden air, redolent of tropical perfumes, and yet invigorated with ocean breezes, it is an English Madeira, a northern tropic, combining the luxurious charm of the one with the life and energy of the other. It is this which gives an especial charm and a local character to the Esplanade which spreads its broad length along the shore in front of miniature houses, which are buried in gardens of flowering shrubs, and what elsewhere are exotic flowers, a veritable garden on the one hand, unharmed and unstunted by the sea which rolls its broad waves so gently and so lovingly on the other, so that there seems a bond of union between them, instead of that fierce contest that elsewhere prevails, the one crowning with garlands of flowers, its mighty neighbour, and the other tempering its ordinary roughness into gentle murmurs and accordant harmony, reposing seemingly from its ocean life of wildness and gloom in the ripples which sink to rest, rather than beat upon the beautiful shore.

Penzance has of course its miniature harbour, whence adventurous tourists sail for the Scilly Isles; its public buildings, and its market place, to us chiefly notable for its statue of Sir Humphrey Davy, placed by his justly proud fellow-townsmen in front of that grammar school in which he was educated, and to which he left one hundred pounds on the condition that the boys should annually have a holiday on his birthday—a commemoration worthy of all imitation, and far more characteristic of the boy's heart in the great man's breast, than any festive dinner to trustees and civic dignitaries could be. Nor should another scientific worthy be forgotten, for Gilbert Davies was also a Penzance man. Nor indeed is the fair sex without its worthy and energetic representative, for here lived and died Mary Kalynack, of unmistakable Cornish name—that fishwoman, who, in her eighty-fifth year, walked

the whole two hundred and eighty miles and more from Penzance to London to see the Queen and the Great Exhibition of 1851, achieved her end and came back to tell her friends what she saw, and how the Gracious Lady received and welcomed her energetic subject, and sped her kindly on her return to Cornwall. The embowered cottages, however, are not for passing tourists no more than the beautiful villas that hide themselves in the dense foliage of the valleys or dot the heights that shut in Penzance from the north and east winds; but in compensation there is an hotel, which is at once grand and comfortable, for the "Queen's" fears no comparison, and was considered worthy of being recommended to us by our landladies of the Torbay Hotel at Torquay, whose judgment we learned to consider infallible.

HENRY BEDFORD.

ANCIENT IRISH SCHOOLS.

AT the beginning of the sixth century the dying civilizations of Greece and Rome had almost entirely disappeared. The Goth had glutted his ire. Barbarian horses neighed among the urns of the Caesars; barbarian kings, with few exceptions, reigned from the ruins of Carthage to the walls of China; barbarian soldiers plundered the villas by the Rhine and Garonne, and laid waste the rich provinces watered by the Po and Adige. The hum of industry had ceased, the busy cities were mute, the lamp of the scholar burned no longer. Man¹, Cardinal Newman tells us, ceased from the earth and his works with him. In such a sad dark time the Irish schools arose and became centres of light.

"While the vigour of Christianity in Italy, Gaul and Spain was exhausted," says Green,² "in a bare struggle for life, Ireland, which remained unscourged by invaders drew from its conversion an energy such as it has never known since. Christianity had been received there with a burst of popular enthusiasm, and letters and arts sprung up rapidly in its train. The science and biblical knowledge

¹ "Historical Sketches," vol. iii., p. 112.

² History of English People," p. 21.

which fled from the continent took refuge in famous schools which made Durrow and Armagh the universities of the West." "As early as the sixth century," says Hallam,¹ "a little glimmer of light was perceptible in the Irish monasteries, and in the next when France and Italy had sunk in deeper ignorance they stood not quite where national prejudice has sometimes placed them, but certainly in a very respectable position." And Montalembert² says "that from the fifth to the eighth century Ireland became one of the principal centres of Christianity in the world, and not only of Christian holiness and virtue, but also of knowledge, literature, and that intellectual life with which the new faith was about to endow Europe."

According to Gorres³ the church had migrated to Ireland to take up her winter quarters there, and lavished all her blessings on the people who gave her so hospitable a reception. He tells us moreover that monasteries and schools sprang up on every side—the monasteries remarkable for their austere piety and the schools for their cultivation of science. "When we look into the ecclesiastical life of this people," continues the distinguished German, "we are almost tempted to believe that some potent spirit had transplanted over the sea the cells of the valley of the Nile with all their hermits, its monasteries with all their inmates, and had settled them down in the Western Isle." Even Froude⁴ admits that "the religion of the Irish Celt burned like a star in Western Europe." And the following are the words of one of our most distinguished antiquarians, Sir James Ware.⁵ "It is evident from ancient writers of undeniable credit that there were formerly in Ireland several eminent schools, or as we now call them universities, to which the Irish and Britons, and at length the Gauls and Saxons flocked as to marts of good literature."

The Irish Schools were very numerous. According to Ware, 164 monasteries of note were built during the fifth, sixth and seventh centuries, and all the larger monasteries had schools attached to them. There were also many secular schools. It is uncertain when the secular schools were first established. Some say they were in existence seven centuries before Ireland bowed to the cross. Towards

¹ "Literature of Europe," p. 3.

² "Monks of the West," English translation, vol. iii., p. 84.

³ *Christliche Mystick*.

⁴ "Froude's English in Ireland," vol. i., p. 16.

⁵ "Ware's Antiquities," p. 240.

the close of the third century the monarch Cormac founded three colleges at Tara. After the Synod of Dromceata, the monarch Hugh also established schools for the education of the bards.

The most famous of the monastic schools were Armagh and Bangor in Ulster; Clonard, Clonmacnoise and Durrow in Leinster; Lismore, Mungret and Ross in Munster; and in Connaught the schools of Arran, Mayo and Clonfert.

About the year 455, or according to Usher, ten years later, St. Patrick founded on the hill of the golden-haired Macha the Monastery and School of Armagh. And Archdall¹ says that Armagh continued for many ages one of the most celebrated ecclesiastical foundations in the world.

Bangor was founded by St. Comgall in 558. St. Bernard speaks of it as a place truly holy, and says that the schools of those educated there so filled both Ireland and Scotland that the verses of David seem to have predicted those very times; viz., "Thou hast visited the earth and hast plentifully watered it, Thou hast many ways enriched it."

In 527 Clonard was founded by St. Finnian on the left bank of the Boyne; Durrow in 549 by St. Columba among the oaks of King's County, and on the eastern bank of the Shannon, about seven miles from Athlone, St. Kieran founded Clonmacnoise in 548. Speaking of Clonard, Sir William Wilde says:² "From this sanctuary and abode of wisdom undoubtedly sprang much of the learning both of Britain and the continent." Bede calls Durrow a noble monastery; and Eugene O'Curry³ says that Clonmacnoise continued to be the seat of learning and sanctity, the retreat of devotion and solitude for a thousand years after the founder's time. To this day its ornamental crosses and foreign inscriptions and ruins hoary with age proclaim

"In chronicles of clay and stone, how true, how deep,
Was Eire's fame."

Lismore, founded in 633 by St. Carthage, was the best known of the Munster schools. In the opinion of Dr. Lanigan this school was for a very long time equal at least to any other in Ireland. Ware quaintly remarks that there great numbers made profession of true philosophy.

¹ "Monasticon Hibernicum," p. 14.

² "Boyne and Blackwater," p. 61.

³ "Lectures on Irish History," p. 60.

Early in the sixth century Mungret was founded by St. Nessen; and about the middle of the same century St. Fachnan founded Ross. According to the Psalter¹ of Cashel Mungret had within its walls six churches, and 15,000 monks, 500 lecturers, 500 psalmists, and 500 employed in spiritual exercises.

The ancient writers speak most favourably of the school of Clonfert, founded by St. Brendan about the year 558. A 100 years later the Abbot Colman founded a monastery and school in Mayo. The school of Arran was founded by St. Enda in 480.

There were also many other eminent schools: the school of Kildare called the Stranger's Home; ivy-wreathed Clonenagh called the Gallic school; the schools of Birr and Old Leighlin, to which students from the Danube and Loire flocked; Moville, Taghmon and wildly picturesque Glendalough, where the Celt heard explained in his native tongue the Ptolemaic system and the Alexandrine cycle. There was a school on an island in Lough Erne, and a school on an island in Lough Derg; schools on the islands of Innisfallen and Inniscatthy. The city of Cork has grown round Finnbarr's school, and the town of Roscrea round the school of St. Cronan. There were schools in the midst of quaking marshes, in the heart of far extending oak woods, and by the margin of many a lake.

Five hundred students, and sometimes three times that number, attended a flourishing school. In an ancient life of St. Comgall we are told that 3,000 attended the school of Bangor; in the life of St. Brendan the same is said of Clonfert. "And if we may venture to give credit to Florence Carty," says Ware,² "who reports it out of some manuscript in Oxford, to which I am a stranger, the roll of the students of the University of Armagh at one and the same time formerly exceeded 7,000. At first sight such numbers appear incredible. However, we should remember that the younger monks attended the lectures and are called students; also that a distinguished professor drew round him all the youth of his clan, and many of the men under forty. Moreover many foreigners came to our schools. Aldhelm says that the English went to Ireland "numerous as bees." Bede tells us that many nobles and gentry from among the Anglo-Saxons came to the Irish

¹ See Lenihan's "History of Limerick," p. 538.

² "Antiquities of Ireland," p. 241.

schools for the sake of divine study, or to lead stricter lives. "All of them," he says,¹ "the Scots most freely admitted supplied them gratis with daily sustenance, with books, with masters." In the metrical life of Cataldus, by Bonaventure Moroni, multitudes are described as coming from the most distant parts of Europe to the school of Lismore. Petrie³ proves from monumental inscriptions, from the lives of the early saints, and from the Litany of Aengus, that foreigners from England, France, Italy, and even Egypt, flocked to Ireland in the fifth and sixth centuries. Willibrord studied there for twelve years, Agilbert, afterwards Bishop of Paris, for a considerable time. Merovingian princes and Northumbrian kings came to be instructed by Irish teachers.

Indeed for three centuries Ireland was the light of the West. She filled the empty years with her schools, her missionaries, her men of letters. But evil times came. The Runic rhyme broke the peace of her cloisters. The Saga's chant was heard in her schools. Her emblems of piety were broken and her manuscripts destroyed by the grim worshippers of Odin.

The Danes first landed in Ireland in 797. They plundered Armagh in 831, and in 838 Turgesius expelled the religious and scholars. In 869 Amlave burned the schools and churches. The schools were again plundered 890, 919, 931 and 941. And the history of Armagh, with little change, is the history of the other schools. During the 9th, 10th, and 11th centuries, they were several times plundered. During the reigns of Malachy and Brian some were rebuilt, and it looked as if the bright days of the Kierans, the Carthages and the Colombas were to return. But the Normans came, and the growing light faded. Many of the old schools indeed lived on. Towards the close of the 13th century Franciscan and Dominican schools were also opened in some of the cities and large towns. And in 1320 Archbishop de Bicknore published a document for the establishment of a university. The university was established and annexed to St. Patrick's Cathedral. However, for want of sufficient funds, it slowly declined. Hence, in 1475, the four mendicant orders addressed a memorial to Pope Sixtus IV. for authority to establish another university. The different schools, and perhaps the two universities, struggled on till the Reforma-

¹ Bede, b. 3, c. 27.

² "The Round Towers," p. 137.

tion, but strangers came to our schools no more, and the Irish student sighed in vain for the wisdom of the days of old.

Our knowledge of the literary course pursued in our ancient schools is rather meagre. We are told that St. Finian taught scripture for seven years; that St. Gaul studied grammar and poetry; that St. Camin collated parts of the Vulgate with the Hebrew version of the Scriptures. In his letter on the Paschal controversy St. Cummin shows a thorough knowledge of the various cycles for the computation of Easter. "I¹ enquired diligently," he says, "what were the sentiments of the Hebrews, Greeks, Latins, and Egyptians, concerning the time of observing Easter." Tighernach,² of Clonmacnoise, quotes Eusebius, Orosius, Africanus, Bede, Josephus, St. Jerome, and many other historic writers. He also collates the Hebrew text with the Septuagint version of the Scriptures. Aldhelm³ was taught Latin, Greek, and Hebrew, in the school of Mailduff; and Cadroe,⁴ theology, philosophy, the Sacred Scriptures, oratory, astronomy, and the natural sciences, in the University of Armagh.⁵ Speaking of Dunstan, Dr. Moran says, "that the details which have been handed down to us regarding his studies at Glastonbury, gives us some idea of the literary course pursued in the Irish monasteries at the period. He was first of all instructed in the Scriptures and writings of the Fathers of the Church. The ancient poets and historians next engaged his attention. But he showed a special taste for arithmetic, geometry, astronomy, and music." Mr. Lecky⁶ says that the knowledge of Greek had been kept up in the Irish monasteries some time after it had disappeared from the other seminaries of Europe. It is almost certain, too, that Virgil⁷ and parts of Ovid⁸ and Horace were read in the same monasteries when they were unknown elsewhere. Perhaps the oldest manuscript of Horace in existence is one at present in the library of Berne, written in Celtic characters with notes in the Irish language.

¹ See Ware's *Writers of Ireland*, p. 38.

² See O'Curry's *Lectures on Irish History*, p. 61.

³ See Moran's *Irish Saints in Great Britain*, p. 335.

⁴ *Ibid.*, p. 197.

⁵ *Ibid.*, p. 27.

⁶ *Rationalism in Europe*, Vol. I., p. 316.

⁷ We are told that Cadoc, educated in Lismore, knew Virgil by heart.

See Gildas, p. 59, and following.

⁸ See essay by Villemarque, on the *Legende Celtique*.

Jowett, Westwood, Wyatt, Waagen, and Keller, admit that the art of illumination attained a wonderful perfection in our ancient schools. Jowett tells us in the *Art Journal* "that the early Irish designs exhibit a great inventive power, a stricter adherence to sound principles of art, and a more masterly execution than those of any other contemporaneous people." Westwood, who gives in his series of Bible illustrations eight specimens of illustrated Irish manuscripts, says that, "the copy of the Gospels traditionally asserted to have belonged to St. Columba, is unquestionably the most elaborately executed manuscript of early art now in existence." Matthew Arnold¹ acknowledges that in this art the Celt has done just enough to show his delicacy of taste; and a writer in a recent number of *Longman's Magazine*, believes that purely Irish decoration is, take it altogether, the most elegant and ingenious style of decoration which the world has ever seen.

But to form a just estimate of the great work of the Irish schools, we should follow Irishmen to other countries. According to White,² Ireland sent into Germany 115 missionaries, 45 into France, 44 into England, 36 into Belgium, 25 into Scotland, 13 into Italy. Their sound went out into all lands, and their words to the ends of the world. Their osier cells were among the marshes of Holland, and by the waters of Constance. Their images were over the altars of Leige, Ratisbon, and Lecca. They lectured in the schools of Paris, Pavia, and Verona. Their manuscripts³ are precious relics in the libraries of Louvain and St. Isidore, Wurzburg and Milan, Cambray and Carlsruhe. More than five centuries before the birth of Dante, an Irish⁴ saint related the visions in which we have in its chrysalis form the Florentine's immortal poem; eight hundred years before Copernicus published his great work on Astronomy, an Irish saint held, that the earth was a sphere; two hundred and fifty years before Leo placed the imperial crown upon the head of Charlemagne, an Irish saint consecrated Aidan king. The influence of Irish saints was felt from Fingal's cave to the vineyards of Italy. The memory of Fridolin is still a power by the windings of the Rhine, the daughters of Tarentum kneel

¹ Study of Celtic Literature, p. 103.

² Apologia, p. 24.

³ See O'Curry's Lectures, pp. 25, 26.

⁴ See Palgrave's History of Normandy and England, 725.

before the shrine of Cataldus. Glasgow has sprung up round the cell of Kentigern; Wurzburg round Killian's grave. Edinburgh owes its name to St. Enda, and a canton of Switzerland to St. Gall; Malmesbury and St. Beeves to Mailduli and Bega. The names of Irish saints are read on Norwegian Runes, and on Pictish tombstones in lonely highland glens. Their names consecrate the hills of Cambria and the crumbling ruins of Cornwall, and cleave to solitary rock and windswept promontory

"Where the Northern Ocean in vast whirls
Boils round the naked melancholy isles
Of farthest Thule; and the Atlantic surge
Pours in among the stormy Hebrides."

And abroad as at home, the cell of the Irish saint became a centre of learning. In his Celtic Scotland, Skene tells us that wherever Columba or his companions planted a monastery, there was kindled, not only the warmth of the new faith, but some light of knowledge contained in the Scriptures and other books which the Columbian monks spent much of their time in transcribing. In his highly interesting work *The Making of England*, Green relates how Irish teachers gathered round these scholars in the midst of solitary woodlands and desolate fens. With Ealdhelm, Mailduf's pupil, he says, "began the whole literature of the south."¹ And speaking of Bede, he says,² "the tradition of the elder Irish teachers still lingered to direct the young scholar into that path of scriptural interpretation to which he chiefly owed his fame."

In the introduction to the life of Marianus Scotus³ by the Bollandists, we are told that the holy men who went from Scotia to France and Germany, built monasteries as places of retirement for themselves, and schools of learning and discipline for their fellow-workers. Speaking of Columbanus, Montalembert says,⁴ that "his bold genius by turns startled the Franks, the Burgundians, and the Lombards." Moore, too, speaking of him, has the following:⁵ "The writings of this eminent man that have come down to us display an extensive and varied acquaintance, not merely with ecclesiastical, but with classical literature. From a passage in his letter to Boniface, it appears that he was acquainted both with the Greek and Hebrew languages,

¹ *Making of England*, p. 356.
² *Monks of the West*, vol. iii., p. 94.

² 339.

³ 9th June.

⁵ Moore's *History*, vol. i., p. 266.

and when it is recollected that he did not leave Ireland till he was nearly fifty years of age, and that his life was afterwards one of constant activity and adventure, the conclusion is obvious, that all this knowledge of elegant literature must have been acquired in the schools of his own country." On the epistle of St. Livin (another Irishman) to St. Floribert, Dollinger remarks,¹ "This epistle and his epitaph on St. Bavo are perhaps the best poetical specimens of the time, and awaken within us an idea of the high state of mental cultivation which then existed in Ireland."

Virgilius, Dungal and Scotus Erigena, were beyond doubt the most remarkable scholars of their age. Lecky² speaks of Virgilius as one of the few who in the eighth century cultivated profane sciences. Dungal is praised by Muratori³ for his classic grace of style and for his great knowledge of Scripture and literature. Erigena is described by Hallam⁴ as one of the two extraordinary men who in the dark ages stood out from the crowd in literature and politics. The three were Irishmen, and educated in the schools of their native isle.

Indeed the more we study our ancient annals, and the lives of our early saints, the more we study Bede and the chroniclers of the 9th, 10th and 11th centuries, the brighter grows the vision of our former greatness. The past gives up its dead. We see wooded hillside and winding glen crowded with cell and church; we see Celt and stranger gathered round a venerable teacher under the shade of sighing oaks; we see multitudes leaving their country

"To serve as model for the mighty world
And be the fair beginning of a time."

And we truly understand the full meaning of the proud title, "*Insula Sanctorum et Doctorum.*"

TIMOTHY LEE.

¹ Dollinger's Church History, vol. ii., note in p. 86.

² Rationalism in Europe, vol. i., p. 273.

³ *Caeterum liber ille Dungali hominem eruditum sacrisque etiam literis ornatum prodit, et simul in grammaticali foro a Prisciani deliciis enutritum.* Muratori.

⁴ Literature of Europe, p. 5.

THE DEAF AND DUMB.

IN order to satisfy the good wishes of an esteemed Correspondent, who enquired of us, if anything, and what, could be done for the uninstructed and uneducated Deaf and Dumb to instruct and prepare them for the Sacraments and other acts of religion, we undertook the Analysis of a Dissertation, which appeared some years ago under the title of "CLAIMS OF THE UNINSTRUCTED DEAF-MUTE TO BE ADMITTED TO THE SACRAMENTS," and which attracted considerable attention at the time and was recommended by the Bishops to their clergy for the treatment of these poor objects.

We desire to resume our Analysis in order to show how in particular the Author deals with Adult Deaf-Mutes who have not had the advantage of being educated in an Institution for the Deaf and Dumb. He does not dissemble in any degree the difficulty of their case with respect to the Sacraments and the other exercises of religion. He even presents it as it would be presented by a person of opposite views in the following terms:—

"You have a bad case in hands; you may argue to any length you please, but the facts are against you. We know who the Deaf and Dumb are, and what they are. They are amongst us—in the midst of us—we see them, and we are witnesses of their sad deficiencies. They are so dull and idiot-like. They are, moreover, stupid-looking—so awkward, uncouth, in several instances, vicious and wicked. Poor beings, they stand apart from the rest of mankind, and since they have not had the benefit of a special education, nothing remains but to leave them as God left them. They are not fit to be admitted to Sacraments. It would be a manifest abuse, a profanation, to admit such beings."

The Author accepts this statement, and giving scope to his sympathy he addresses a Deaf-Mute as if present:—

"Alas! poor Deaf-mute, we are come to the worst aspect of your case—the aspect, let me say it, that has put a pen into these fingers to plead your cause. Poor Deaf-mute! you are what people have made you by their treatment of you. Those who should have taken care of you have forgotten, if, indeed, they had ever known the inspired maxim, 'That a young man, according to his way, even when he is old, he will not depart from it.'—*Prov. xxii. 6.* So it is, and so it has always been, as it will be to the end of time. Treat a young person for what he ought to be, and you will make him what he ought to be; and treat him for what he ought not to

be, and you will make him what he ought not to be. Poor Deaf-mute ! they have treated you for what you ought not to be. When you were discovered to be Deaf and Dumb, you were put one side into a corner, away from your brothers and sisters ; you were not asked to join in family prayers, as if voice was necessary for entertaining your soul with your Creator ; you were not taught to make the sign of the Cross, because it was said, where is the use ? it would be unmeaning, as he could not say the accompanying words. Your brothers and sisters were prepared for Confession, Confirmation, and their first Communion, and you were neglected, as if nothing could be done for you. They were brought to Mass, and you were neglected ; you were allowed to go into the streets, and the highways, and the bye-ways. Naughty boys made game of you, and treated you as a fool—they ruined your temper—they showed you bad example, and made you vicious. They turned your signs into ridicule and sport, and made you a buffoon for their mischievous amusement ; and those who ought to have taken care of you, only said with sterile compassion—poor creature, God has made him so, we cannot help it. We leave him to God, to live and die in His hands, as He has willed him to be as he is.

“Poor Deaf-mute ! This is how you were treated—treated as you ought not to have been ; and hence you are not what you ought to be. Nevertheless, words of comfort yet remain ; your case is not hopeless. They are ashes, indeed, that meet the eyes, but the spark beneath yet lives, and may be kindled up by applying to it that fire, the fire of charity, which Our Divine Saviour came to cast upon the earth, and desires to be kindled.”—*Luke* xii. 49.

The Author accordingly traces the sad condition of the uneducated Adult Mute to the deplorable idea that outside of an Institution for the Deaf and Dumb, and without the special technical instruction afforded in such an establishment, his case is hopeless, that he is incapable of moral and religious training and must be abandoned to his unhappy lot. This idea the Author combats with might and main, relying, in the first place, upon authorities beyond contradiction or question, and, secondly, upon facts which instead of speculative reasoning he brings forward to sustain his views.

His first authority is that of M. l'Abbé. de l'Epée, the great Apostle of the Deaf and Dumb. He quotes next a M. Pelisier, who wrote a classic work on the Instruction of the Deaf and Dumb, which was accepted with honour by the Central Society for the Education and Relief of the Deaf and Dumb in Paris. He was a Professor of the National Institution in that capital, and being himself deaf and dumb, he is on that account a more authentic witness

to the state of intelligence of the afflicted class to which he belonged.

A third authority which he adduces is a M. l'Abbé Lambert, who was Chaplain of the National Institution of Paris for over thirty years, and who as an apostle of this afflicted portion of humanity, goes through France giving Retreats in the principal towns to the Deaf and Dumb, as well the uneducated as those who had the advantage of education.

After quoting these authorities in refutation of the idea he combats, the Author proceeds to facts which speak most unequivocally in sustainment of his position. The first is a fact which occurred to himself, and which he relates as follows :—

“ Few pass through life without meeting with incidents on their passage that make deep impression upon their feelings, and take lasting hold of their memory, and, in some instances, casual though they may appear to us mortals, are designed in the views of Providence to lead sooner or later to important results. I shall never forget an incident of this kind that occurred to me full forty years ago. I was travelling through the country, and halting in a town on my way, a strange-looking poor man approached me. Strange indeed he was in every way, and his figure is as vivid before my mind, even at this distance of time, as if it were but yesterday I saw the spectacle he presented. He was, to all appearance, like a man who had come out of the woods. As he came over to me, he put on a look of the most intense sadness, then blessed himself, then leaned his head on one side, supporting it with his open hand, and then closing his eyes, remained so. I could not collect from him what he wished, poor man, to convey. But a man came over to tell me, ‘ He is a dummy, your reverence,’ said he. ‘ Our Parish Priest died yesterday, and he wishes to tell you by the signs he is making.’ Poor man ! I felt for him, and even still, as I think of him, he calls up the deepest emotion in my mind. Poor man ! He saw and knew I was a Priest. He thought that I should feel for the death of a brother Priest. His closed eyes and his head resting one side on his hand were the intimations of death. By blessing himself he meant to signify who was dead, and his sorrowful countenance bespoke the grief he felt in common with the whole parish. And that poor man, so full of meaning in his gestures, and so full of sentiment in his looks, was an excrescence, so to say, on the face of the parish, disinherited from the blessings of religion, as he was banned from social intercourse with his fellow-man.”

This, the Author would present as a specimen case, and from the amount of intelligence and sentiment the poor man displayed he would infer what little difficulty there should

be in instructing and preparing him for the Sacraments, making, of course, due allowance, according to the principles of theology, for his case.

A second fact is that furnished in the case of Martin, the deaf-and-dumb servant of St. Francis de Sales, mentioned in the saint's life. St. Francis met him on a Lenten Mission he was preaching. Notwithstanding the labours of the mission he took him in hands, and had him instructed and prepared before the close of the Lent for his Paschal Communion. He afterwards took him home and made him a domestic servant, and with the attention he paid him the poor man became a most fervent Christian. Nor is it to be supposed that the holy prelate had recourse to any supernatural intervention in aid of his charity. On the contrary, when asked by a friend why he did not beg of God to bestow upon him the gift of hearing and speech, he replied:—"I confess to you I never had the least idea of asking such a miracle, because I find it a great advantage to keep the good man as he is, and to have in him a daily and domestic exercise of charity."

A third fact is furnished by a conference of the clergy of Paris, held in the Madeleine Church, on the 13th of February, 1856. The subject was: "The Treatment of the Deaf and Dumb, with respect to their admission to the Sacraments." The doctrine insisted on by all the Theologians, that the Deaf and Dumb, whether educated or uneducated, were included in the pastoral charge, was admitted, and the Conference was to take account only of the means to be employed for preparing them to be admitted to the exercise of their religious duties.

By appointment of the Archbishop the Chaplain of the National Institution in Paris was to make the Conference. Much expectation had been excited. The Archbishop presided, and two other Bishops with about four hundred of the clergy assisted. In his treatment of the subject the chaplain insisted particularly that reading or writing, or the technical education of an institution was not necessary to prepare the ordinary Deaf-Mute for the Sacraments, and that a certain amount of zeal, with the means and ways which true zeal would be sure to discover, would be found sufficient.

The Conference was the dawn of a new day for the Deaf-Mutes of Paris. The feeling of grave responsibility was aroused for those poor beings that were in a manner "seated in darkness and the shadow of death." The

Archbishop issued a Pastoral respecting them, and the Parish Priests, aided by men of good will, sought out the poor castaways, who were found to reach the number of nearly six hundred, in the parishes of the metropolis alone. Conferences were instituted for their instruction. The chaplain who presided was assisted by some zealous members of the Brotherhood of the Christian Schools, as also by an Aid Society specially formed to look after these objects of Christian sympathy, and promote their interests. God was visibly in the good work which continues even still, and Paris is edified by the regularity and fervour with which these poor souls, hitherto abandoned, under the idea that nothing could be done for them, flock to their Conferences, Sunday after Sunday, and partake in common with their fellow-Christians of the blessings of the Sacraments.

From these facts, the author proceeds to lay down in detail what means and measures may be employed for the instruction of these objects of his charitable sympathy. For these we must refer our correspondent to the Dissertation itself, as they would occupy more space than our limits can allow them.

We cannot, however, be too earnest in recommending their perusal and study. Although the numbers, as reported by the Committee of the Deaf and Dumb, reaches near three thousand, they exist, however, in only ones, and twos, and seldom beyond three, in any parish outside the large towns. Consequently the work falling to the lot of a Parish Priest with his curates is not excessive.

The Dissertation, as we have observed, excited much attention at the time, and gave occasion to a production controverting the views of the Author. He, however, replied in a letter addressed to the Archbishops and Bishops of Ireland, inasmuch as the subject appertained to their jurisdiction in reference to the ministry of the clergy under their charge. In a future number we may take notice of this document, which gives further development to the Author's views, and reasserts the various positions he had advanced in the Dissertation.

THE EDITOR.

THEOLOGICAL NOTES,

CERTAIN CLAUSES FOUND IN DISPENSATIONS.

ALL the clauses that occur in dispensations are not treated in this short paper. A full explanation would exceed the object here in view, which is to set forth briefly the nature of such acts as may from time to time require attention between *verification* on the one hand and *fulmination* on the other. Within these limits lie the “*onera imponenda*,” if any, and their various circumstances, or in other words the second portion of the commission given to an “*executor dispensationis*.” It will not be necessary to consider separately the dispensations which bishops grant, either immediately themselves, or in *forma commissoria*, as any instructions occurring in them are easily carried out by one who can give due effect to the clauses found in Papal Rescripts.

The phraseology of these Rescripts varies a good deal, according to the office from which they come, their contents or purpose, and the *form* of the concession, as it may be given either in *forma communi* or in *forma pauperum*. Thus, the language of the Datary is very different from that employed by the S. Penitentiary, unless the latter tribunal, as frequently occurs, dispenses *pro foro externo*, when the divergence is not so considerable. But for fixed circumstances each Office has definite forms and phrases. As they are all readily found in treatises on matrimony¹ it is unnecessary to insert them here in full, or state in every case the *forum* for which a particular clause is used.

1. First of all as by common law excommunicated persons are incapable of benefiting by Apostolic Rescripts, dispensations *pro foro externo* open after the narrative part with a general absolution *ad cautelam* from all censures and penalties that might stand in the way of the Papal grant. These punishments, however, are removed only to the extent of allowing the person or persons to receive the favour in question, and remain in every other respect as binding as before.² Even if the Pope entrusted this general absolution to the delegate instead of giving it immediately himself, it is still different from power to absolve from *incest* and *excesses*, which Apostolic letters often contain and the

¹ Lehmkühl, pp. 573-76 ; Caillaud, t. n. 245, &c.

² Feije, p. 724

exercise of which has a permanent removing effect. Much more is it to be distinguished from Sacramental absolution. Notwithstanding its wide wording the clause does not apply to heretics or to certain criminals specified in the 66th rule of the Chancery, as modified in this context by the *Bulla Apostolicae Sedis*.¹

2. Where an invalid marriage has been knowingly contracted, and in some other cases of crime, actual or suspected, separation is enjoined to repair scandal and give evidence of repentance. The length of its continuance is sometimes fixed by the Rescript, sometimes left to the discretion of the delegate. In the latter case it would be well to conform as nearly as possible to the usage of the Holy See, and require time less or more, according to the circumstances and their bearing on the object to be attained. It is essential to the dispensation that the punishment of separation should be undergone as well as imposed before the impediment is actually removed. This often creates a difficulty in dealing with dispensations for the external *forum*, which may require "*separatio a toro, habitatione et familiari conversatione*," in these or equivalent words; for the prohibition is frequently violated without any necessity. Indeed it is freely held that *separatio a toro* alone will suffice where more perfect disunion is morally impossible.² But, with this understood, a difficulty still remains in regard to those who culpably disobey the delegate's injunction.

Now, any breach, short of incest, does not invalidate a Rescript, and only compels the "executor" to impose a fresh period. As for that offence, a distinction must be drawn between its repetition at this stage and its occurrence for the first time. In the latter event dispensations for either *forum* are rendered void. For by hypothesis the crime occurs before fulmination, and must accordingly be explained to the dispensing power, in order that the favour may be validly granted.³

The repetition of incest will not render invalid a dispensation for the *forum conscientiae* according to recent authorities on the subject. But it is different with the letters of the Datary or Penitentiary for the external *forum*, as these contain a strong separation clause. Sometimes it is absent from dispensations in *forma communi*, and then many

¹ Cf. Riganti in Reg. 66 Cancellariae.

² Feije, p. 734.

³ Cf. Feije, p. 690; Lehmkuhl, p. 570.

hold that the offence in question does not cause invalidity. Nay, some¹ lay down this doctrine of all Rescripts in *forma communi*. But if they contain a separation clause there seems to be little room for distinguishing *forms*, as the Penitentiary practically decided in 1854 that a breach of it by incest should be remedied by applying for a new dispensation. The Penitentiary itself, as a rule, provides a more convenient resource by sending faculties to obviate repetition. But the Datory acts otherwise, and hence a fresh supplication is made out, or rather validating letters are requested from that Tribunal. The decision just alluded to was as follows² :—

“ I. Quid in prae-fata clausula intelligendum venit per vocem *tractu* ? II. Si, interdicto per Ordinarium quocunque tractu, oratores nihilominus tempore interdicti habeant in se tractum, an ideo opus sit nova dispensatione seu revalidatione ? ”

“ Ad I. id omne vetari quod opponitur fini, qui in interdicendo quocunque tractu quaeritur, nempe oratorum resipiscentia, aut dati scandali reparatio. Ad II. Cum clausula opposita det jurisdictionem sub conditione, sed non respiciat ipsam dispensationem, debere quidem conditionem oppositam impleri, ut commissarius exequi valeat Rescriptum, non nero novam petendam esse dispensationem si oratores, violata interdictione cujuscunque tractus, fideliter abstineant per tempus praescriptum, dummodo tamen violatio interdicti non fuerit per incestum.”

It is, moreover, to be observed that Bishops not uncommonly possess faculties for making valid such Papal Rescripts as are rendered null by the commission of incest. And, lastly, the wide sense of the term deserves attention. It includes quasi-incest, and can, therefore, exist when the parties are subject to an impediment of *consanguinity*, *affinity*, *spiritual relationship*, or *public honesty*.³

3. A *penance clause* is often met with in Rescripts, especially when grave offences have been committed. Neglect to enforce it is always sinful, and will, most probably, invalidate dispensations granted in *forma pauperum*. Besides, no matter in what form the favour is conceded, it is necessary that the person concerned should accept a penance which has been *actually* imposed by the delegate.⁴ Performance of it, however, is not required under pain of nullity, unless so far as “*qua peracta*,” or any phrase of like import may be appended to it in whole

¹ Lehmkuhl p. 568.

² Acta 8. Sedis, t. 2, p. 445 sqq.

³ Feije, p. 735.

⁴ Lehmkuhl, p. 573.

or in part. Formerly public penances, even visits to Rome were frequently enjoined; but this discipline has been very much changed. When the works are determined by the Rescript a delegate cannot commute them. If left to his discretion he alone can make a change afterwards. Besides, at the time of imposing them he must remember that his freedom of selection is limited by the dictates of a prudent judgment. Acting under its guidance he will make the penance light or heavy, long or short, public or private, according to the varying circumstances of age, sex, place and time.¹ A decision to this effect emanated from the S. Penitentiary in 1839:—

“In poenitentiis arbitrio confessarii relictis non intelligi meram et liberam voluntatem ita ut possit illas libere injungere prouti sibi placuerit, sed importari arbitrium boni viri, habita nempe ratione conditionis, aetatis sexus.”

The Dispensation itself sometimes gives instructions about the quality of the penance. Thus the words *gravis* and *gravissima* imply, the one a heavy obligation, the other a burthen of great weight. But here again all the conditions and surroundings are to be taken into account. A “*poenitentia gravis et longa*” would be monthly communion for a year, fasting once a week or once a fortnight for the same period, &c. The word “*diuturna*” implies that the works extend over three years. Similarly “*perpetua*” requires them to continue for life. When increased severity is demanded, it may be obtained by greater frequency of repetition; but if it were thought desirable to impose any penance of daily obligation, the works should be easy to discharge.²

Obviously when both parties are guilty, both likewise come in for the penalties. It is almost unnecessary to add that the penance here contemplated is not Sacramental penance, and may or may not be imposed *in tribunali* according as the dispensation is for the *forum internum* alone or otherwise. The Datary sometimes inserts a clause requiring testimony of two confessions—“*Peractis ab iis duabus confessionibus sacramentalibus*.” In this event evidence must be forthcoming before the delegate gives the Rescript absolutions *pro foro externo* and *pro foro interno non sacramentali*. Should “*si veniam a te petierint*

¹ Avanzini, t. I., p. 446.

* ² Cf. Van de Burgt p. 67, de dispensationibus matrimonialibus; Lehmkühl, p. 575.

humiliter" occur, the words must in like manner be verified before absolving in *foro externo*.¹

Alms-giving is frequently commanded in letters of the Penitentiary for both forums. Often too the amount is left to the delegate's discretion. "*Erogata aliqua elemosyna*" makes it essential to impose the obligation; but whether its discharge is required for validity or not is disputed. Plainly, the safer course by far is to give over at once the sum in question. This is also true, though in a much less degree, of the clause "*quodque in pauperes faciant aliquam elemosynam*," which occurs in dispensations *pro foro interno*, and does not appear to require the actual giving before fulmination.

4. Dispensations for the internal forum as a rule contain the clause, "*audita sacramentali . . confessione*" or some equivalent, such as "*in sacramentali confessione tantum*." In the absence of some such form, fulmination need not take place *in tribunal*i. Otherwise it must. Nor will it suffice to grant the favour before sins are confessed, even though the penitent be in the state of grace. For validity, the one thing required by these clauses is sacramental confession, be the same fruitful or sacrilegious. Absolution also from sins no doubt usually precedes, but this is not required unless the wording of the dispensation clearly demand it. So much so, that when there is urgency and the person or persons cannot be properly disposed, the dispensation is fulminated and absolution deferred; always, however, supposing that absolution was not made a pre-required condition. Any statement of the law on this point would be incomplete without the following decisions in reference to sacrilegious confessions, and other cases of difficulty:—

"An poenitens, qui voluntarie et malitiose facit confessionem nullam et sacrilegam, dum virtute dispensationis obtentae a S. Poenitentiaria rehabilitatur in beneficio simoniace obtento, aut dispensatur ab impedimento matrimonium dirimente, sit sufficienter dispensatus, et an denuo sit recurrendum ad S. Poenitentiariam?"¹

The answer was:—²

"S. Poenitentiaria ad propositum dubium respondet quod dummodo confessarius literarum S. Poenitentiariae executor servet, quae sibi in iisdem literis praescribuntur, tunc datae, vigore, earundem literarum, dispensationes validae erunt, etiamsi contingat poenitentem nulliter et sacrilege confiteri et absolutionem a peccatis

¹ Feije, p. 737.

² Cf. Carriere, n. 1168, citing from Collet by Companis.

petere. Quod si confessarius advertat poenitentem, ex sua indispositione, a peccatis absolvi rite non posse curare debet eundem poenitentem recte disponere vel, si disponi nequeat in praesenti, una eum absolutione a peccatis deferre quoque praedictas dispensationes, nisi forte urgens aliqua necessitas sudeat dispensationes easdem accelerare."

Again it was asked:—

"Num dispensationes super impedimentis dirimentibus occultis in matrimoniis contractis significandae sint, statim post susceptam absolutionem, aut priusquam dispositiones praeviae ad absolutionem existant, atque absolutio suscipiatur, eoque ut citius validitati matrimoniorum provideatur, sicque commercii illiciti occasio arceatur?"

The S. Poenitentiary¹ replied in 1834:—

Dispensationes de quibus in casu manifestandas esse ante absolutionem, quas tamen confessarius concedere potest etiamsi absolutionem a peccatis suspendendam censeat."

Furthermore the S. Poenitentiary answered as follows in 1839:—

"In exequendis S. Poenitentiariae rescriptis, cavendum quidem est ut poenitens ad peccatorum absolutionem disponatur, nihilominus validas fore absolutiones a censuris, dummodo saltem praecesserit accusatio seu confessio peccatorum, quae sacramentalis sit."

These replies show that in cases of urgency the confessor will act prudently by giving absolution from censures and fulminating the dispensation, even where the parties cannot there and then be disposed for the Sacrament of Penance. But at the same time the obligation of sending either or both off in the state of grace is obviously very pressing, and hence the occasion is one that calls for a great effort, especially as there is often danger of a sacrilegious marriage.

The duty of removing occasions of sin is imposed by a special clause in dispensations for affinity *ex commercio illicito*. Without making the innocent party, if such there be in the case, aware of what occurred, the proximate occasion of relapse must be actually removed where it is *voluntary*, and made remote where *necessary*. This clause does not affect validity.²

It only remains to ask what a delegate is to do when the person in whose favour a dispensation was granted,

¹ Cf. Caillaud, t. 2, n. 372; and Zitelli, p. 88.

² Feije, p. 746.

absolutely refuses to fulfil the required conditions. Such refusal prevents fulmination. Had it or any other difficulty been foreseen as likely to occur, the supplication should have contained a request to provide for the emergency. But in the absence of such provision fresh application must be made.

Lastly, when every condition has been carried out to the required extent, the delegate proceeds to the absolutions with which fulmination begins. It is almost unnecessary to add that *in tribunal*, the imposing of Sacramental Penance, of restitution, and of reparation for scandal given, precedes absolution from censures, sins, and excesses.¹

PATRICK O'DONNELL.

LITURGY.

VOTIVE MASSES.

I.—*Definition and Division.*

The General Rubrics of the Missal commence thus:—
“Missa quotidie dicitur secundum ordinem officii, de festo Duplici, vel Semiduplici, vel Simplici, de Dominica, vel Feria, vel Vigilia, vel Octava: et extra ordinem officii Votiva vel pro Defunctis.”

From this Rubric the definition of Votive Masses is plain:—They are all Masses not in keeping with the office, except Requiem Masses.

We except Requiem Masses because the Rubrics do so most clearly, both here and in many other places. For instance, the Rubrics treat of Votive Masses and Requiem Masses in two distinct sections, Tit. IV. being “De Missis Votivis S. Mariæ et aliis,” Tit. V. “De Missis Defunctorum.” Rubricists also generally keep the two classes distinct.

Votive Masses are so called, because they are selected, for the most part, on account of some special desire (*rotum*) or devotion of the celebrant or of the person who gets the Mass said.

There are two divisions of Votive Masses. (1) As

¹ Burgt, pp. 72-3.

regards solemnity, a Votive Mass may be just as Masses *secundum ordinem officii*, (a) Low, (b) Cantata sine ministris, (c) Cantata cum ministris, also called High Mass.

This High Mass may be "*Conventualis*," or *non Conventualis*. The *Missa Conventualis* is that which is sung as a part of the Divine Office in Cathedral and Collegiate Churches, in which there exists the obligation of publicly reciting the Office in Choir every day. We know of no Church in these countries in which a Mass strictly *Conventualis* is celebrated. But for the sake of clearness it must keep its place in this explanation of Votive Masses. It is so called because it is *par excellence* the official and public Mass of the Church, at which a great assembly (conventus) of the clergy and faithful would naturally be present. The English word "Conventual" does not convey the right idea.

Every Mass not *Conventualis* is, of course, *non Conventualis*.

Again, a High Mass which is *non Conventualis*, may be either (1) an ordinary High Mass, or (2) a High Mass "pro re gravi, pro publica Ecclesiae causa."¹

We have designedly abstained from introducing into this division the terms "*privata*" and "*solemnis*," because there is in the Rubrics and Rubricists some confusion about their use. In Tit. IV., n. 3, and Tit. XV., nn. 1, 2, the General Rubrics seem to divide all Masses into "*Missae Conventuales*" and "*privatae*;" whereas in Tit. XVI., nn. 1, 3, and Tit. XVII. nn. 1, 3, the "*Missa privata*" seems to be taken in the sense of Low Mass, being opposed to the "*Missa Solemnis*." De Herdt gives at least three different definitions of a *Missa privata*: (a) *Privata, quae sine cantu et cum uno dumtaxat ministro celebratur;*"² (b) "*In Missis privatis, id est non conventualibus;*"³ (c) "*Privata autem, quae celebratur pro arbitrio celebrantis, vel ex praescripto quidem ordinarii sed non pro re gravi, sive solemniter cantetur sive privatim legatur.*"⁴ To avoid confusion, we will omit altogether the use of the terms *Private* and *Solemn*.

(2) As regards what is termed the Quality of the Mass, Votive Masses may be divided as follows:—(a) The six Votive Masses granted July 5, 1883; (b) A few Masses *extra ordinem officii* prescribed by the Church to be said on certain days; (c) The twelve first Votive Masses at the end

¹ Gen. Rub., Tit. viii., and passim.

² Sacrae Liturg. Praxis, vol. 1, p. 15, Edit. Sexta.

³ Ibid. p. 23.

⁴ Ibid. p. 27.

of the Missal, after the Mass “In Dedicatione Ecclesiae;” (d) The Votive Masses at the end of the Missal, which follow these twelve; (e) The Votive Masses of Feasts celebrated throughout the year.

II.—“*Rationabilis Causa*,” and “*Res Gravis*,” “*Publica Ecclesiae Causa*.”

The only matter in Division (1) that requires additional explanation is the *Missa “pro re gravi.”* We take occasion to explain the whole question of the cause that will justify Votive Masses of any kind.

In Tit. IV., which treats of Votive Masses, these words occur: “*Id vero passim non fiat nisi rationabili de causa.*”

Some Rubricists understand these words to mean that Votive Masses may be said *occasionally*, but not *passim*—as a rule—without a reasonable cause. Others, as De Herdt, Vavasseur, &c., seem to regard the clause “*nisi rationabili de causa*” as an explanation of *passim*:—This is not to be done *passim* (at random, indiscriminately), *i.e.* without a reasonable cause. This latter interpretation is supported by the sentence of the Rubrics which immediately follows: “*Et quoad fieri potest, Missa cum officio conveniat.*”

But what is considered a “*causa rationabilis*” for a Low Mass or an ordinary High Mass?

At ordination every young priest is ordered by the ordaining bishop to say three Masses. These must be Votive. To discharge this duty would certainly be a sufficient reason.

A special devotion to a saint or mystery would also suffice. But the devotion must be *special*; the honour paid to a saint by a Votive Mass in addition to what would be paid to him by a Mass *secundum ordinem officii*, is evidently from the Rubric not a sufficient reason.

Again, if a person were to give an *honorarium* with a special desire that the Mass should be Votive, this would be a sufficient reason.

But such trivial reasons as the shortness of a Votive Mass would not be sufficient.

It is noteworthy that, though the permission for Requiem Masses is given in almost precisely the same words, as that for Votive Masses, the restricting clause is not added. Does not this plainly imply that the Church considers the congruity of celebrating Masses for the Dead in black vestments to be always of itself a *causa rationabilis* for the difference between the Mass and Office on days on which this difference is at all allowed?

But a High Mass, "pro re gravi," "pro publica ecclesiae causa," requires, as is evident, a grave cause.

This grave cause must be something that considerably affects the temporal or spiritual interests of the whole or, at least, the greater portion of the community; such as to obtain peace, or fine weather: to acquire some great public benefit or avert some great public calamity; to procure the restoration to health of the Pope, bishop or sovereign; to return thanks for some great blessing received. The opening of a great mission, too, would, says De Herdt, be a sufficient reason for a Mass of this kind on one occasion, but not for its celebration on every day during the mission.

The following would not be considered "res graves:" the election of the Superioress of a Convent, the reception or profession of a religious; a novena; a priest's first Mass, and such like.

This Mass differs from an ordinary High Mass only in (a) the matter of the *Gloria* and *Credo*, (b) the days on which it may be celebrated, and (c) the fact that it is necessary to have for it the order or, at least, the sanction of the Ordinary, with whom it will rest to judge of the gravity of the cause.

III.—*The Votive Masses granted July the 5th, 1883.*

We now come to Division (2), regarding the quality of the Masses.

The Votive Masses granted July 5th, 1883, have been fully treated of in the IRISH ECCLESIASTICAL RECORD for 1884, vol. v., p. 331. But we may briefly repeat here the substance of that exposition.

If the Votive Office be said, then the corresponding Mass is not strictly Votive, but *secundum Ordinem Officii*. Hence it is that the special Rubric of these Masses orders the *Gloria* and the last Gospel of the *Feria*: the Mass is said not *more votivo*, but *modo ordinario*. But if, as may happen, the Office be said "de ea," or of a simple Feast, and the Mass celebrated be one of the six, then it really is a Votive Mass—*extra ordinem Officii*, and the *Gloria* would not be said, nor the last Gospel of the *Feria*, but the last Gospel according to St. John.

The privilege of saying these Votive Masses does not in any way interfere with the old privilege of the General Rubrics.

IV.—*Masses extra Ordinem Officii for Certain Days.*

These days are : 1. The Saturdays of Advent. If the Office be of the Feria, the Mass will be of the B.V.M.

2. Vigils during Advent. If the Office be of the Feria, the Mass will be of the Vigil, with a commemoration of the Feria.

3. Vigils, Feriae of Quarter Tense and Rogation Monday during an Octave other than that of Corpus Christi. If the Office to be said be of the Octave, the Mass will be of the Vigil or Feria, with a commemoration of the Octave.

4. Holy Thursday and Holy Saturday.

5. The Vigil of Pentecost.

Full directions for these Masses are given in their special Rubrics.

V.—*The Twelve First Votive Masses at the end of the Missal.*

These may be seen at once in the Missal. They may be assigned to the different days of the week : “De SS. Trinitate,” to Monday ; “De Angelis,” to Tuesday ; “De SS. Apost. Petro et Paulo,” to Wednesday ; “De Spiritu Sancto,” or “De SS. Eucharistiae Sacramento,” to Thursday ; “De Cruce,” or “De Passione,” to Friday ; and “De S. Maria,” to Saturday.

From the Special Rubric of these Masses it might be thought that this arrangement is in no way obligatory : “Cuique autem diei, propria Missa assignari potest, ut Feria II. . . . Missa de SS. Trinitate.” But in the General Rubrics Tit. iv. n. 3, we find the following :—“Aliis diebus . . . dici potest aliqua ex Missis Votivis etiam in principali Missa quae vocatur conventualis, secundum ordinem in fine Missalis assignatum . . . Quae tamen Missae et omnes aliae Votivae in Missis privatis dici possunt pro arbitrio sacerdotum.” Hence we must make a distinction : the arrangement is *assigned* for *Missae Conventuales*, not for *Missae non-Conventuales*.

P. O'LEARY.

(*To be continued.*)

[We regret that owing to pressure on our space, we are obliged to hold over for the present our answers to several inquiries, both liturgical and theological. We shall, however, post our answers to those correspondents whose address accompanied their questions ; but we do not feel ourselves obliged to take account of mere anonymous inquirers.—ED. I. E. R.]

CORRESPONDENCE.

“O clemens, O pia, O dulcis Virgo Maria!”

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

DEAR SIR,—There are several renderings of the above words in English prayer-books. As a rule, a difference in this respect will be found between prayer-books printed in Dublin and prayer-books printed in London. In any of the Dublin prayer-books I have seen, I find the words translated:—“O clement! O pious! O sweet Virgin Mary!” or with the words in the superlative. Every person must have observed that “O loving!” is substituted for “O pious!” in the authorized prayer to be said after Mass. St. Bernard is said to have added these words to the “Salve Regina,” and to have explained the “antiphon” or prayer itself. I have not St. Bernard’s works to refer to, but I have a Latin Dictionary, and with the aid of it, I shall try to translate the Latin words referred to. I must premise that I believe they form a climax, as I shall make plain from my explanation. “Clemens” (from which probably the French word “calme” and our “calm” have come) refers originally to the weather—we still speak of the *inclemency* of the season—but in the above case it is used figuratively, and is applied to a person. It may be translated “gentle.”

Listen, gentle Queen of Heaven,
Listen to my Vesper prayer.

The Blessed Virgin is all gentleness, so that neither saint nor sinner should find the least difficulty in approaching her. Not only is she all gentleness, but she is something more. She is possessed of the peculiar gentleness and tenderness of a mother. Hence a stronger expression is found to express this quality—O pia! Riddle explains “pius”:—“Entertaining sentiments of affection and attachment towards parents, *children*, masters . . . one’s native country,” &c. The best rendering then is “O loving!” “O kind!” which is found in prayer-books across the water is too weak. The climax is reached in “O dulcis!” Not only does the Blessed Virgin bear maternal affection (*pia*) towards us, but she does so in a degree beyond all other mothers. Hence she is the *dearest* of mothers—O dulcis Virgo Maria! Among the Romans “dulcis” was a strong term of endearment—“*dulcissime rerum*,” “my dearest friend!” occurs in Horace. “Sweet” as a rendering of “dulcis” used figuratively is scarcely in accordance with the genius of the English language. After all I have written then, my translation of the words at the head of this letter would be:—“O gentle! O loving! O dear Virgin Mary!” “Pious” should

be eliminated from our home editions of the prayer-books and "loving" substituted in its place. The other translations may be left to stand, as in the prayers authorized to be said immediately after Mass. Out of curiosity I have looked through Father Nolan's Irish prayer-book to see how he has translated the words in question. I find he gives "ceannsa" for "clemens." Nothing could be better. But I find he gives an Irish word for "pia" which means "religious" "devout"! What an anti-climax! The Blessed Virgin devout! Well, rather! A Catholic lady assured me she always thought the expression "O pious!" in the Salve Regina very strange. It must be surely somebody's business to revise and correct these home editions of our English prayer-books. They are found in all styles of get-up and binding, reminding me forcibly of the words of our Lord about making "clean the outside of the cup and of the platter." In conclusion, I have only to add that I unreservedly submit to whatever interpretation the Church puts upon her own words.—Yours,

M. J. O'BRIEN.

NOTICES OF BOOKS.

Father Hand : Founder of All Hallows College for the Foreign Missions. The Story of a great servant of God. By Rev. JOHN MACDEVITT, D.D., Professor of the Introduction to Scripture, Ecclesiastical History, &c., All Hallows College, Dublin. Dublin : M. H. GILL & SON. New York : F. R. PUSTET & Co.

The life of one who, to a marvellous extent, and recently among us, was the instrument of God's providence unto the accomplishment of great designs, is a record in which every Irish Catholic takes a lively personal interest. This being so, it is well that the laborious though pleasant task of painting the man and his works should fall to the lot of an author qualified for its discharge by the gift of a clear and picturesque style of writing in addition to ardent sympathy with the subject of his sketch. These and other qualifications enable Dr. MacDevitt to present a narrative of much variety and attractiveness. True, the history of good and even eminent priests is often told in a few pages, instead of the handsome volume. But this could not be for Fr. Hand. Great ends, in the world of public action, are seldom attained without overcoming many difficulties interesting in detail to the reader. It was so with the Founder of All Hallows College, the centre of Irish foreign missions, whose full measure of rapid success is an honor to everyone connected with the institution and the crowning

triumph of him who had the head and heart to make it possible, through saintly sacrifice of self and boundless confidence in the resources of Catholic charity. Fr. Hand met with obstacles from the beginning. But each in turn only served, by being surmounted, to discipline him for the work, to do which he had been raised up by God and given through every cloud a gradually clearing view of the Divine Will in his regard. Its accomplishment came by leaps and bounds, and then the saintly Founder of All Hallows, wasted by fatigue in his Master's service, but with the years of manhood still fresh upon him, passed to his great reward. This is not the place to trace further his eventful career. How he spent his young days in Meath, went to school in Oldcastle, passed thence to Navan, Maynooth, Phibsboro', All Hallows, and what qualities he showed at each stage of his onward course, can be learned only by careful perusal of Dr. MacDevitt's interesting story. Throughout the narrative there are numerous and welcome allusions to important events, in Irish history, especially to those of the present century, together with many short disquisitions on spiritual subjects. Perhaps less of the latter, however useful from other points of view, would accord better with the raciness of a biography. Also, we think, the author, from his genuine feeling of admiration, is sometimes overmuch on the good priest's side when treated unfairly or not encouraged by others. For instance, many old Maynooth men will consider that Dr. MacDevitt would not comment so severely, if at all, on the discourtesy shown Mr. Hand in college by some students on his appearing in the class-hall, had he too been an alumnus of Maynooth and known how little such demonstrations might have meant. For the rest we have only words of praise to speak of this able and attractive account of a great and holy man, whose efforts to renew the ancient missionary glory of Ireland fill a bright page in the Church History of our time. At home and abroad, we feel confident, Dr. MacDevitt's work will command a wide and rapid circulation.

P. O'D.

The Barbavilla Trials and the Crimes Act in Ireland. By REV. JOHN CURRY, Adm.

The object of the Author of this *brochure* is "to make a compilation of the evidence and circumstances bearing upon the guilt or innocence of the Barbavilla prisoners, and without rhetorical argument to indicate the conclusions a rational being should be led to therefrom." The *brochure* is a remarkable one, and deserves an attentive reading.

THE IRISH ECCLESIASTICAL RECORD.

MAY, 1885.

ON THE LAW OF CHARITABLE BEQUESTS IN IRELAND.

II.

THE LEGAL DEFINITION OF CHARITY.

“There is, perhaps, not one person in a thousand who knows what is the technical and the legal meaning of the term Charity.”—
LORD CAIRNS.¹

In the Introductory Paper on the Law of Charitable Bequests in Ireland, published in the January number of the RECORD, attention was directed to certain aspects of the subject as clearly showing the importance, and indeed the necessity, of ascertaining at the very outset, and with the utmost possible distinctness, the technical legal meaning of the terms “charity” and “charitable.”

The points thus set forth in that Paper² by way of Introduction, may be briefly summed up as follows:—

1. That bequests for technically “charitable” purposes, in the strict legal acceptance of the term, are, in some highly important respects, specially favoured by the law both of England and of Ireland—such bequests being, in fact, upheld as valid, in circumstances in which a bequest for any other than a technically “charitable” purpose should without question be set aside by the courts of law as manifestly null and void;

2°. That bequests for technically “charitable” purposes *in Ireland* enjoy moreover the further exceptional privilege of absolute exemption from legacy duty;

¹ *Dolan v. MacDermot*, Law Reports, 3 Chancery Appeals, p. 678.

² See I. E. RECORD (Third Series), vol. i., No. 1 (Jan. 1885), page 10.

3°. That in order to secure for a bequest the exceptional privileges thus referred to, it is not sufficient (a) that an executor, exercising a discretion allowed to him under the terms of a will, should be *prepared to apply* the bequest to a purpose within the class thus specially privileged; nor (b) will it suffice that the executor should even *enter into a legal undertaking*, binding himself so to apply it; nor (c) will it even suffice that the bequest has been *actually so applied*. For, in any given case, the answer to the question whether a bequest is to be regarded as entitled to the privileges referred to, must depend, not upon any act of an executor, but upon *the terms of the will itself*. To entitle a bequest to the privileges in question, it must *there* be so tied down as to exclude *as a breach of trust* any application of it to any purpose, or in any way, outside the range of technically “charitable” purposes, within which those privileges are conferred by law. Manifestly, this important object is not likely to be secured, under either respect, unless those limits are accurately known, and are clearly kept in view in the making of the will.

Again, on the other hand, it was pointed out,

4°. That it may in certain circumstances be no less advisable that a will should be so framed as to keep a bequest altogether clear of any such restriction to the usually privileged class of technically “charitable” bequests. For, in certain circumstances, bequests of that otherwise favoured class are, on the contrary, subject to certain disabilities, one of which indeed is of so serious a character that a bequest limited to technically “charitable” purposes must in the case in question be set aside as invalid, the validity of which, if it were not thus limited, could in no way be regarded as even open to dispute.

From this aspect of the case, then, no less clearly than from that aspect of it dealt with in the former paragraphs, may be seen the practical importance of ascertaining as definitely as we can, the limits of that special class of bequests—sometimes privileged, but sometimes, on the contrary, placed under severe restrictions—which forms the subject of these Papers.

We proceed, then, in the first instance, to ascertain the technical legal sense of the term Charity.

How is this to be ascertained? In other words, where are the legal provisions regarding it to be found?

“The ‘municipal law,’ or the rule of civil conduct

prescribed to the inhabitants of this kingdom," as Blackstone explains, "may, with sufficient propriety, be divided into two kinds: the *lex non scripta*, the unwritten (or common) law; and the *lex scripta*, the written (or statute) law." Both these sources of information, then, must in this case be consulted.

As regards the latter, no explanation of its nature can here be deemed necessary. It is neither more nor less than the system of law enacted in the statutes, or Acts of Parliament, of the realm.

The nature of the common, as distinct from the statute, law may not be so generally understood. As a useful, if not a necessary, preliminary step in our investigation, we may transcribe from a well-known manual, the following summary exposition of its origin and authority:—

"As to general customs, or the common law properly so-called, . . . a very natural and very material question arises: how are these general customs or maxims to be known, and by whom is their validity to be determined? The answer is, by *the judges in the several courts of justice*. They are the depositories of the laws; the living oracles, who must decide in all cases of doubt, and who are bound by oath to decide according to the law of the land . . .

"It is to be observed, however, that many specific questions are perpetually occurring, in which the rule of the common law does not happen to be fixed by any known decision, and that these are disposed of by the judges in the manner that they think *most conformable to the received rule* in other analogous cases, or if there be no such analogy to guide them, then *according to the natural reason of the thing*; though (in deference to the principle . . . that the opinion of the judge is not to *make* the law, but only to *ascertain* it) their determination always purports to be declaratory of what the law *is*, and not of what it *ought to be*."¹

First, then, as to the written or statute law on Charitable Bequests, there are two statutes to which it is here necessary to refer: (1) The English Statute, 43rd Elizabeth, cap. 4; and (2) The Irish Statute, 10th Charles I., sess. 3, cap. 1.

The Act, 43rd Elizabeth, cap. 4, was enacted, as its

¹ New Commentaries on the Laws of England, partly founded on Blackstone, by Henry John Stephen, Sergeant-at-Law, 5th edition, vol. 1, pages 47-50.

Title and Preamble declare, “to redress the Misemployment of Lands, Stocks of Money, &c., given to Charitable Uses.” It recites that, previous to its enactment, “lands,” “goods,” “money,” and property of various kinds, given for the relief of the poor or for other purposes, a number of which it enumerates, had “not been employed according to the charitable intent of the givers and founders . . . by reason of frauds, breaches of trust, &c.” “For redress and remedy whereof,” it then proceeds to empower the Lord Chancellor of England to appoint Commissioners, whose office it would be to inquire into all cases in which any such misapplication of funds might be alleged, and, subject to the authority of the Court of Chancery, to restore the funds so as to carry out the charitable intention of the founder.

In reference to this most important statute, two things are to be observed: (1) it in no way undertakes to *define* a “charitable” purpose in the legal sense of the term, but merely *enumerates* a number of purposes, which it recognises, and deals with, as legally “charitable;” and (2), as regards the legally “charitable” character of the purposes thus enumerated, it in no way alters the previously existing law—its object not being to amend, or in any way to modify, the law in that respect, but solely to provide a machinery for more efficiently giving effect to its provisions.

Of the two points thus mentioned, the first is plain from the words of the statute itself. In explanation of it, the enumeration of the “charitable” purposes thus legally recognised may here be transcribed. In reference to them it is sufficient for the present merely to call attention to the evidence which even a general inspection of them affords, of how widely the [technical legal meaning of the term “charitable,” as thus indicated, differs from the ordinary popular acceptation of the word. The “charitable” purposes, then, enumerated in the statute, 43rd Elizabeth, cap. 4, are as follows:—

- “Relief of aged, impotent, and poor people ;
- “Maintenance of sick and maimed soldiers and mariners ;
- “Maintenance of schools of learning, free schools, and scholars in universities ;
- “Repairs of bridges, ports, havens, causeways, churches, sea-banks, and highways ;
- “Education and preferment of orphans ;
- “Relief, stock, and maintenance of houses of correction ;
- “Marriage of poor maidens ;

“Supportation, aid, and help of young tradesmen, handicraftsmen, and persons decayed ;

“Relief or redemption of prisoners or captives :

“Aid or ease of any poor inhabitants, concerning payments of fifteens, setting out of soldiers, and other taxes.”¹

In the investigation of what constitutes a legally “charitable” bequest, the enumeration thus set forth is of the very first importance. For it is now a fixed principle of the Common Law, that in *England*—and we shall at once proceed to examine how far the same principle holds good in *Ireland*—the purposes to be deemed “charitable,” in the legal sense of the term, are those “which that statute enumerates,” and those “which by analogies are deemed within its spirit and intendment.”²

This principle, explicitly laid down by the English Master of the Rolls (Sir William Grant), in his judgment on the first hearing of the case, *Morice v. The Bishop of Durham*,³ has been affirmed also, with more or less distinctness, in many other judgments subsequently delivered, as, for instance, by Lord Eldon, as Lord Chancellor, when giving judgment, on appeal, in the case just mentioned ;⁴ by Lord Langdale, as Master of the Rolls, in his judgment in the case of *Kendall v. Granger* ;⁵ and by Lord Cairns,⁶ in the judgment containing the noteworthy *dictum* transcribed at the head of this Paper.

As thus defined, then, by Lord Cairns,⁷ the term “charitable” purpose includes two classes of objects : (a) “everything which is expressly described in the statute of Elizabeth ;” and (b) everything that is “within the equity

¹ 43 Eliz. cap. 4. In reference to the charitable purposes set forth in the last paragraph, as quoted above, it is right to remark that the statute is sometimes, but, as is manifest, inaccurately, quoted as if the clauses “concerning payments of fifteens” and “setting out of soldiers,” were to be read as indicating distinct objects or purposes thus recognised as charitable, not merely distinct one from the other, but also distinct from that set forth in the preceding clause, “aid and ease of any poor inhabitants.” See, for instance, the enumeration of the charitable purposes recognised in this statute, as set forth in Hamilton’s *Law relating to Charities in Ireland*, pages 3 and 4 (2nd edition), Dublin, 1881.

It is, however, on many grounds, quite obvious that the words in question should be read as they are above printed in the text.

² *Morice v. The Bishop of Durham*, 9 Vesey, p. 405.

³ *Ibid.*

⁴ *Morice v. The Bishop of Durham*, 10 Vesey, p. 540.

⁵ 5 Beavan, p. 302.

⁶ *Dolan v. MacDermot*, Law Reports, 3 Chancery Appeals, p. 678.

⁷ *Ibid.*

of the statute," or, in other words, everything that, by an equitable or favourable construction, those words may be understood to comprise.

"This Court," said Lord Langdale,¹ "has adopted a very narrow construction in deciding what is to be deemed a charitable purpose: it must be either (a) one of those purposes denominated charitable in the statute of Elizabeth, or (b) one of such purposes as the Court construes to be charitable by analogy to those mentioned in that statute."

And Lord Eldon² speaks of the sense "affixed to that word in this Court [Chancery], viz., either (a) such purposes as are expressed in the statute, or (b) purposes having analogy to these." "I believe," he adds, "the expression 'charitable purpose,' as used in this Court, has been applied to many acts described in that statute, and *analogous to those*, not because they can with propriety be called 'charitable' [in the ordinary acceptance of the term], but as that denomination is by the statute given to all the purposes described."

The important principle underlying these judicial decisions was indeed laid down by the author of the statute in question, Sir Francis Moore, a lawyer of great erudition and acumen, who was himself a member of the House of Commons in the session (43rd of Elizabeth) in which the statute was passed, and to whom its preparation had been entrusted by his brother members. In his interesting "exposition" of the statute,³ he tells us that no purpose is to be regarded as "charitable" within the meaning of the statute if it be not "within the letter or words of the statute." But, he adds, a purpose may be "construed to be" within the statute "by equity, taken on the words of the statute," that is to say, by an equitable or favourable construction of those words. And he explains his meaning by an illustration, that the "repairs of *churches*" may be taken "by equity" to include "repairs of *chapels*," and also "all *ornaments and concurrents* convenient for the decent and orderly administration of divine service," including, as he adds, "the finding of a pulpit or a sermon bell."

Then, on the other hand, in illustration of the *exclusive* character of the principle thus laid down, he goes on to explain that "a gift of lands to maintain a chaplain or

¹ *Kendall v. Granger*, 5 Beavan, p. 302.

² *Morice v. The Bishop of Durham*, 10 Vesey, p. 540.

³ See, for instance, in Duke, *On Charitable Uses*, chapter 7. (Ed. Bridgman), London, 1807.

minister to celebrate divine service, is neither within the letter nor meaning of this statute, for it was *of purpose omitted* in the penning of the Act, lest the gifts intended to be employed upon purposes grounded upon charity might in change of times, contrary to the minds of the givers, be confiscated into the King's treasury." And he adds his reason, "Religion," he says, "being variable according to the pleasure of succeeding princes, that which at one time is held for orthodox may be at another counted superstitious, and thus such lands are confiscated."

All this, it is to be remembered, has reference to the extent of the class of "charitable" purposes, as set forth for *England*, in the statute of Elizabeth.

The second point already mentioned in reference to this statute is, that as regards the indication which it affords of the legal extent of the class of "charitable" bequests, it is not to be regarded as the enactment of any new law not previously in force, but only as a *declaration of the Common Law of England* as then understood.

The theory which had been set up in some judgments, as to this statute having given legality to charitable foundations which would otherwise have been void as illegal, is conclusively set aside in an exhaustive discussion of this aspect of the case by Sir Edward Sugden (afterwards Lord St. Leonards) in a judgment delivered by him as Lord Chancellor of Ireland.

"It appears to me," said that eminent jurist, in his judgment in the case of the *Incorporated Society v. Richards*,¹ "as clear as anything can be, from the preamble, as well as from the several provisions of this Act, that, generally speaking, all the uses [or purposes] there rehearsed, were recognised charitable uses before the Act, and would have remained so, if that Act had never been passed. . . . Its great object was to create a new jurisdiction, which, it was hoped, would be more efficient in enforcing the due administration of charitable uses. . . . Commissioners were appointed, whose duty it was to drag forth those abuses, and to detect those frauds, which manifestly existed, and thus to secure to charitable purposes the estates which had really been dedicated to them.

"Is there anything in the Act, or its provisions, to show that such gifts were illegal before its passing? Not one word; though there is a great deal to prove that they were valid.

¹ Drury and Warren, page 301. See also the report of this important judgment in the 4th Irish Equity Reports, page 201.

"The statute says that lands have been given to charitable uses, which lands, nevertheless, have not been employed 'according to the charitable intent of the givers and founders thereof,' not by reason of their illegality, not because the law would not permit such gifts, but because the persons upon whom the trusts devolved were guilty of 'frauds, breaches of trust, negligences,' &c. How could there be fraud, in the contemplation of the legislature, if the subject matter to which it applied was illegal, if the law had actually forbidden such gifts? . . .

"There is not a word in this Act to render valid that which was invalid, or that legal, which theretofore had been illegal; but much to enforce against those guilty of breaches of trust, that which was treated as perfectly legal and binding at the time the Act of Parliament passed."

So far for the law in England. The statute of Elizabeth is, it must be remembered, a purely English one. But since, as we have seen, that statute, in its enumeration of charitable purposes, was but a declaration of the Common Law on the subject, as then understood, there is little difficulty in understanding how it came to be accepted also by the Irish judges as a useful guide in ascertaining, in Ireland as well as in England, the extent of the technical signification of the term "charitable."¹

But there is moreover an Irish statute, the 10th of Charles I., sess. 3, cap. 1, which bears a striking resemblance to the English statute of Elizabeth. It was enacted indeed for a precisely similar purpose, the application of a remedy to a prevailing misapplication of "charitable" funds.

The enumeration of charitable purposes in this statute is as follows:—

"The erection, maintenance, or support of any college, school, lecture in divinity or in any of the liberal arts or sciences;

"The relief or maintenance of any manner of poor, succourless, distressed, or impotent persons;

¹ In the legal treatise referred to in a preceding footnote (page 281) the exposition of this branch of the subject seems to be needlessly complicated, and indeed embarrassed, by the introduction of a number of conflicting statements of Irish judges as to the extension to Ireland of the English statute in its purely *enacting* provisions—that is to say, as regards the machinery set up by it for the protection of charitable bequests.—See Hamilton, *On the Law relating to Charities in Ireland*, pp. 6–12. We have here to deal with the English statute *only so far as it serves to throw light upon the legal signification of the term "charitable."*

“The building, re-edifying, or maintaining in repair any church, college, school, or hospital ;

“The maintenance of any minister and preacher of the Holy Word of God ;

“The erection, building, maintenance, or repair of any bridges, causeways, cashes, paces, and highways, within this realm ;

“Any other like lawful and charitable use and uses, warranted by the laws of this realm now established and in force.”¹

As pointed out in detail by Lord St. Leonards, when as Lord Chancellor of Ireland, he delivered in the Irish Court of Chancery the important judgment already mentioned,² the purposes thus enumerated are substantially identical with those enumerated in the corresponding English statute. “Thus,” he says, “the statute of Elizabeth speaks of relief to ‘aged, impotent, and poor people ; the maintenance of sick and maimed soldiers and mariners ;’ it enumerates a list of such cases, while that of Charles has those comprehensive words, ‘or for the relief or maintenance of any manner of poor, succourless, distressed, or impotent persons.’” “It would be difficult,” he continues, “to show that any one of the particular charities set forth in the Act of Elizabeth is not included in those general words.”

Then, after some further instances of the correspondence between the two statutes, he proceeds to point out that in some respects the statute of Charles goes beyond that of Elizabeth. “The Act of Charles,” as he explains, “provides ‘for the maintenance of any minister and preacher of the Holy Word of God,’ which was purposely omitted in the statute of Elizabeth.”³

“After this,” he concludes, “the general words of the Act of Charles are, ‘or for any other like lawful and charitable use and uses warranted by the laws of the realm.’ The statute of Charles seems, therefore, an almost exact pattern of the statute of Elizabeth ; and I have but little doubt that its framers had the latter Act before them at the time they were preparing it.”⁴

Here, then, we find the statutory basis on which the Common Law, whether of England or of Ireland, on this subject has since been gradually built up.

¹ An Act for the Maintenance and Execution of Pious Uses.—10 Car. I., sess. 3, cap. 1.

² See page 283.

³ See page 283.

⁴ *Incorporated Society v. Richards*, 1 Drury and Warren, pages 324, 325 ; and 4. Irish Equity Reports, page 211.

In the next, or an early succeeding number of the RECORD, we shall examine in detail the various classes of purposes thus brought within the designation "charitable" in its technical legal sense, and we shall proceed to investigate how far that designation is technically applicable to those purposes in which Catholics are more directly interested—such as bequests for Masses, for the building and maintenance of churches and religious institutions, for the maintenance and benefit of religious communities, and for the education and maintenance of priests.

WILLIAM J. WALSH.

AMONG THE GRAVES.

II.—OLD LEIGHLIN.

"I do not hear of such a province
Between earth and sacred heaven as Laighen,
Of a nun like Brigid,
Of a plain like Moyalbe,
Of a city like Leighlin."

SO sung an Irish poet many a year ago of Leinster and its holy patroness, of the beautiful plain enclosed between the Wexford hills and the Barrow, and of the old town on its borders nestling in the quiet, retired valley which saints chose for their home. "In all Europe," says Hooker, "there is not a more pleasant, sweet, or fruitful land."

Leighlin, Joyce tells us, is so called from the Irish words *leith ghlionn*, *i.e.* half glen, applied to it from some peculiarity of shape in the bed of the river flowing by, but he does not say what that peculiarity is. Dr. John Lynch, in his manuscript history of the Irish Bishops, says it was originally called *Leightlanna*, *i.e.*, the white valley. From the earliest times Leighlin has been a place of importance. Near it, on the western bank of the Barrow, on the spot now called Ballyknockan, stood the *dun riogh*, or the fortified residence of the Kings of Leinster. In the third century before our era Cobhtagh, surnamed the Slender, murdered the King of Ireland and his son, took possession of the throne, and banished the youthful heir Labraidh, the king's grandson. Labraidh fled first to Munster and then to Gaul. He entered the service of the Gaulish king; and

having greatly distinguished himself, he returned to his native land with a small army of foreigners, to wrest the throne from the usurper. He landed at the mouth of the Slaney, and being joined by some friends of his family, marched to Dunree, where Cobhtagh, surrounded by a guard of 700 men, was holding a meeting of his nobles. The palace was surprised, and the inmates put to death. Labraidh became king, and reigned for nineteen years. His foreign auxiliaries used a broad-pointed spear called *laighen*, and from this the province in which they settled took its name. The Danish *ster* was added, and so the present name of Leinster was formed.

In the early part of the seventh century St. Gobban established a monastery on the spot where the cathedral of Leighlin now stands. He was so struck by the "burning virtues" of Laserian that he besought him to undertake the government of the community. Under Laserian the monastery grew rapidly, and soon 1500 monks were subject to his holy rule. The celebration of Easter was for a long time a vexed question in the Irish Church. The Eastern mode of reckoning continued to be observed in this country long after it had been replaced in the other churches of the west by the Roman custom. In 630 a Synod was held at Leighlin, "*in campo albo*," *i.e.* in the white field, to establish uniformity in this matter. St. Fintan of Taghmon upheld the Irish usage; it had come down to them from their first teachers, whose holiness none might gainsay, and these had received it from the beloved disciple who had reclined on our Lord's breast. He proposed that the question should be tested by ordeal, that the book of the Old Law and that of the New should be cast into the fire, and whichever came out unharmed, that should be their guide. Laserian, then Bishop of Leighlin, appealed to the teaching and practice of Rome, "the head of all the cities." Such another controversy, Bede tells us, took place in presence of King Oswy. Addressing both the disputants, Wilfrid and Colman, "You agree," he said, "that the keys of the kingdom of heaven were given to Peter by the Lord." Then turning to Colman, he asked, "Can you bring forward any proof that such power was given to your Columba?" And he replied, "I have none, King." "And I tell you," answered the King, "that he is the doorkeeper whom I will not contradict. So far as I know and am able, I will obey his rules in everything, lest perchance when I come to the

gate of heaven there may be no one to open it for me, while he opposes my entrance who is proved to hold the keys."

Little by little the town grew round the monastery, as has happened so often elsewhere, and indeed it derived all its importance from the presence of the See. Bishop Herlewin, who occupied the See from 1201 to 1206, granted burgages to the inhabitants, with all the privileges enjoyed by the citizens of Bristol, at a small yearly rent. It is said that a certain Burchard, son of Gurmond, a Dane, founded the priory of St. Stephen, which was afterwards annexed to the deanery, and that he was buried in the choir of the cathedral under a marble monument, and his statue set over his grave. But owing to the ravages of the Danes, and later to the continual warfare carried on by the natives against the Anglo-Norman adventurers, and still more to the growth of the neighbouring English settlement at Leighlin Bridge, where De Lacy or his lieutenant, John de Clahul, had built a castle for the protection of the colonists, the old town by degrees fell to decay, until at length in the seventeenth century it was but "a sorry village." Even its name has been usurped, and it needs to have added to it now the very questionable epithet of antiquity to distinguish it from its more prosperous neighbour.

The ecclesiastical remains of ancient times of a distinctly Irish character are very few and comparatively unimportant. About three hundred yards to the west of the cathedral is an old cross, of a type common throughout Ireland, the arms within a circle, and usually found in connection with our oldest churches. Very probably it is coeval with the first monastery erected here. A few yards from the cross is St. Laserian's Well. Seward, in his *Topographia Hibernica*, says it was much frequented by the Irish in former times, pilgrims coming to it from all parts of the kingdom, especially on the 18th of April, the Saint's festival. About seventy years ago the "patron" held on that day was discontinued by the desire of the local clergy, in consequence of some abuses that had taken place. Lastly, there is lying on the ground within the tower a stone bearing an incised cross of very ancient shape, like some of those which Miss Stokes has given in her valuable work on *Christian Inscriptions*. This one has no lettering.

The present cathedral is supposed to have been built by Bishop Donat in 1230. The choir was rebuilt by Bishop Sanders in the first half of the sixteenth century. The

whole edifice is in the plainest Gothic style, at once church and castle, being designed not only for worship, but also, and perhaps quite as much, for protection from the attacks of "the wild Irish" who dwelt all round. Close by both the doorways are holy water stoups inserted in the wall, which show what the faith of the builders was.

We will now pass on to the inscriptions on the graves within the church. The visitor entering by the south door will see a low altar-tomb just opposite, close to the north wall of the nave. Ryan, the historian of Carlow, tells us "even educated people believe it to be the tomb of Daniel Cavenagh, the first Protestant Bishop of Leighlin." He then gives some few words of the inscription, most of them incorrectly. Mr. O'Connor, who was sent by the Ordnance Survey to examine and report on the antiquities of Leighlin and its neighbourhood, will not allow it to be the tomb of Cavenagh. "The characters," he says, "are in black letter and would certainly puzzle most people," and he confesses his inability to decipher more than a few of the most obvious words. I must observe that the inscription begins at the east end and goes along the four sides in regular course at the edge, a large floriated cross occupying the middle. It is continued in the line immediately inside the third, and then runs along the sides of rectangles which gradually decrease in size. The letters face inwards. The lines are divided here as on the monument except the first.

Ihc

**Hic jacet Willelhmus obrin filius inominati filii Willelmi
filii**

David rufi Generosus de

Corranloski et ballenebrenagh ac burgensis veteris

Leghlenie

qui obiit XVII die Mensis Junii Anno Domini M

CCCC°LXX° et eius

uxor Winna Kevanagh filia maurici

filii Donati

Willelmonensis quae obiit . . . die

mensis Anno

Domini MCCCC . . . quorum animabus propici

etur deus amen.

IHS. Here lies William O'Brin, son of Ferganaim, son of William, son of David Roc, gentleman, of Corranloski

and Ballenebrenagh, and burgess of Old Leighlin, who died on the 17th day of the month of June in the year of our Lord 1569, and his wife Winna Kevanagh, daughter of Maurice, son of Donagh, of Wilbmona, who died on the . . day of the month of in the year of our Lord 15 . . , on whose souls may God have mercy.

The name O'Brin is, according to O'Brien's *Irish Dictionary*, another form of O'Brain, anglice O'Brin and O'Byrne, derived from Bran, surnamed Dubh, who was King of Leinster, A.D. 600. Spencer speaks of "the Birns or Brins." Aodh Ua Brain, Lord of East Leinster, is said by the *Four Masters* to have died in 1119. In Regan's *Geste*, O'Bryn, of the Duffren, is one of those who conspired against Strongbow, though their pledges were in his hands. Friar Clynn, in his *Annals*, under the date 1331, says William Hacket slew about fifty of the people of Breyn O'Breyn, and other Irish, at Yorless (Arless). When Art MacMorrough made his submission to the Earl of Nottingham in 1395, he was accompanied by Gerald O'Bryen and Donald O'Nolan, captains of their septs. The eighth report of the Deputy Keeper of the Rolls makes mention of a pardon issued to William Byrne of Corranloiske, horseman, in 1551. He is referred to elsewhere as "William Byrne of Dullo," *i.e.*, the Dullogh, or West Idrone, in the Co. Carlow. I have translated the word "inominati," by Ferganaim, a shortened form of fear gan ainm, *i.e.*, a man without a name. In the *Miscellany* of the Irish Archeological Society, the death of Ferganaim O'Carroll is thus spoken of: "Hic obiit vir sine nomine O'Cerruayll, qui fuit dominus et princeps elie; occisus est in castro proprio in Clounlesc." Now we know from the *Annals* of the Four Masters that Ferganaim is the person here spoken of. In a footnote to this passage of the *Annals*, O'Donovan gives another instance of the word translated in this way, taken from a manuscript note in an old missal: "Vir sine nomine princeps nationis sue." Moreover, we find a Ferganaim O'Brin mentioned in the Carew Manuscripts, vol. i., p. 280. The epithet "generosus" was much like the German "wohl geboren," meaning that he was not of the mere people; a gentleman perhaps we should call such a one now. Corranloski and Ballenebrenagh are both a few miles north of Leighlin. The exact situation of the first may be seen in the ancient map of the barony of Idrone, published in the *Kilkenny*

Archeological Journal for 1870, to illustrate some articles by the late Dean Hughes of Maynooth on the Butlers of the Duloagh, admirable models of what Irish antiquarian sketches should be.

The name Winna is another form of the Irish Una, anglicised Winifred and Winny. The Kavanagh or MacMorrough country lay along the Barrow from Carlow to its junction with the Slaney. Leighlin was one of their strongholds before the Butlers took possession of the surrounding country and entrenched themselves within the Castle of Cloghgrennan. For a long time the Barrow was the utmost limit of the Pale, even before the English power in Ireland was weakened by the withdrawal of its garrisons to take sides in the Wars of the Roses. The O'Tooles, the O'Byrnes, and the Kavanaghs, exiled the administration of the king's law from Munster by preventing the judges from riding their circuits beyond it. Hence the saying: "They dwelt by west of the law that dwelt beyond the Barrow." They had indeed laws of their own; but because these were not English, they were declared to be "lewd, wicked, and damnable." Moreover, the bridge of Leighlin was the sole passage by land to the plantations in the south, in Tipperary, Waterford, and Limerick, even to Wexford, for the O'Tooles and O'Byrnes kept strict watch and ward, so that no one could set foot in Wicklow with impunity. Hence the great number of castles along the way, all "well bataylled and inhabited." A castle was built at Leighlin for the protection of all English travellers, and the good Carmelite monks of the monastery there had a yearly pension of twenty marks, payable out of the rents of Newcastle of Lyons, "in consideration of the great burthen and expense in supporting their house and the bridge contiguous thereunto against the king's enemies." But who will guard the guardians of the law among the "Irois sauvages"? Who will give kindly protection to those who are going to root out vice and introduce good morals among "these sons of Belial"? Set a thief to catch a thief is not bad policy. And so "Mack Mork" was paid black mail, eighty marks per annum, out of the royal exchequer, in return for the protection which he would afford to his majesty's lieges as soon as they came among the Irish enemy. Mack Mork and his descendants took the money; yet it would seem they troubled themselves very little indeed about what might befall the said lieges, for we find a complaint made

long after that "Mack Mork was indeed paid eighty marks for yearly service, which service neither he nor his successors had done to that day, and yet they received the same pay." Perhaps they were wicked enough to retaliate in some way for the legalized slaughter of their kith and kin, whose bodies were dangling in chains on the bridge of Leighlin while their heads "were sent in" to gratify the Lord Deputy, or to show some resentment for the murder of their chief, invited to a love-feast by the governor of the castle.

Of course such a state of things could not be allowed to continue. And so the Irish Treasurer of War wrote to Thomas Cromwell in 1525: "If the Tooles, and Byrnes, and Kavanaghs, which is MacMorrough and his sept, were banished and destroyed, and their country inhabited by the Englishmen, then the king would have a goodly country, and no Irishmen who could make war against them." And then Carew came and laid claim to the whole barony of Idrone. But lest the judges—usually yielding enough to all requirements of the Crown—might not be equal to the task, the Privy Council took the matter in hand. Of course Carew succeeded in his suit, and plundered the Kavanaghs. Few transactions, even in Irish history, equal this in foul wrong-doing, perhaps not even the robbery of the O'Byrnes of Ranelagh by Parsons, which the English historian Carte has declared to be "such a scene of iniquity and cruelty that, considered in all its circumstances, it is scarce to be paralleled in the history of any age or country," and which O'Connell has branded as "a specimen of the most scandalous and profligate plunder, such as could not have been exhibited in any other country but Ireland."

I have not found to which branch of the Kavanaghs Winna belonged. I may add that the late Dean Hughes knew of no place either in Carlow or Wexford at all resembling the name on this tomb. Could it be a Latinized form of Polmonty, a well-known residence of an important branch of the family? The date of Winna's death is not given. Spaces are left blank for the insertion of the day, month, and year. The stone, as was remarked of one of the Athboy tombs, was set up by the wife after her husband's death. Her friends neglected the pious duty of recording the date of her decease.

On the side of the tomb facing the door there is a shield bearing what seem to be three squirrels sejant, and near

it the word Bryn. They are probably the arms of the family. The slab at the foot did not belong to this tomb originally.

The next inscription to which I would call the reader's attention is one within the choir of the church. It begins at the end farthest from the altar, and is continued within narrowing rectangles very much like the preceding one. The lines, all but two, are divided here as on the stone. The letters face inwards. Here also, as on the other stone, the middle is taken up with a floriated cross of eight points, with fleurs-de-lys radiating from a circle.

THE

Hic jacet hic Johannes mutus filius Willelmi filii
David rufi
ybrian et eius uxor mabella
chabanah filia donati Wilbmonensis quorum animabus
propicietur Deus
s amen
anno domini MCCCCCLV. O vos omnes qui transitis
rogo nostri memores scitis fuimus quod estis fueritis
aliquando quod sumus.

Here lies John the Dumb, son of William, son of David Roe O'Brin, and his wife Mabel Chavanah, daughter of Donogh of Wilbmona, on whose souls may the Lord have mercy. In the year of our Lord 1555. O you all who pass by, I beseech you, remember us; we were what you are; you will be some time what we are.

Many of the remarks made in reference to the preceding inscription apply to this, as both man and wife belonged respectively to the same family, though the last were the older, it would seem, by one generation. The third word seems to be a repetition of the first, a mistake of the artist. Mutus is a translation of the Irish *balbh*, which signifies both dumb and stammerer. Possibly this is the John Ballaghe O'Byrne of Ballyvrane in the County Carlow, who is mentioned in Morrin's Calendar, under the date June 27th, 1548, as having received a pardon, the *ballaghe* being a mistake of the English official for *balbh*; just as in the old map of Idrone, the Barbha, i.e., the river Barrow, is written Barogh. The *y* in yvrian is the genitive of *ua*, a grandson

or descendant, written also *ui* and *i*. This is also the form of the nominative plural, which we find in HyMany, HyFaelan, forms commonly supposed to mean the territory, whereas in reality they mean the descendants of some one who inhabited and gave his name to a certain territory. *Vrian* is a genitive also, the first letter of the word Brin being changed by aspiration into *v*, according to the well-established rule.

Nearer still to the east end of the apse, on the floor, lies a large slab bearing the following inscription:—

Hic jacet M
athews sanders Episcopus Leighlincensis qui obiit XX
III^o die Decembris anno Domini
MCCCCXLIX. ejus anime deus propicietur amen.
 XXIII DECE
 RIS XLIX MB

Thomas Filay episcopus leghlincensis obiit 1567.

Here lies Matthew Sanders, Bishop of Leighlin, who died the 23rd day of December, in the year of our Lord 1549, on whose soul may God have mercy, 23rd December, '49. Thomas Filay, Bishop of Leighlin, died 1567.

Bishop Sanders held the See of Leighlin from 1527 to 1549. He built the apse of the cathedral. The date of his death is repeated here in a strangely irregular way in two lines at the foot of the stone. From the matrix or indent in the stone, it is evident that there was formerly a sepulchral cross of brass along the middle.

Bishop Filay, or as the name is more commonly written Filehy, or O'Filehy, belonged to the Order of the Hermits of St. Augustine, and to the convent of Mayo of the Saxons in the Co. Mayo, a very interesting account of the foundation of which is given by Bede. Dowling says he was a Franciscan, probably confounding him with another of the name, who was Bishop of Ross, belonging to this Order. But the postulation for his promotion clearly proves that he was an Augustinian. He was appointed to the See of Achonry in 1547, and eight years after transferred to Leighlin. The above inscription settles a disputed point in reference to the year in which he died. As to his orthodoxy, which some have questioned, it has been fully vindicated in the second volume of the *Ecclesiastical Record*.

D. MURPHY.

FUTURE PUNISHMENT.

I.—STATE OF THE QUESTION.

A GREAT change has surely come over the spirit of Protestantism in these islands. It used to be all denunciation of Rome from the pulpit and in the press, varied, of course, by blessings on the reformers and on their works. It is not so much so any longer. True, the Holy Father still gets his share of abuse, especially for his claim of power and authority. But we are not near so bad as we used to be. Not only High Churchmen, but Latitudinarians, and even Calvinistic Dissenters, have somewhat altered their tone. They are not now so confident that the Reformation was always in fact what it is in name; they would reform us back again to some of the doctrines of the dark ages; and, strangest of all, they would revive purgatory and prayers for the dead.

I was led into this train of thought by taking up a book¹ from the pen of Dr. Plumptre, Dean of Wells, which was published last year. Though not a remarkably able book, it is instructive reading; it is written for the most part in a fair and temperate spirit, and contains very little that could offend a Catholic. The old virus breaks out occasionally, as if the author wished to conciliate readers whom his previous moderation had made suspicious. I refer in particular to the Study on purgatory, which no Catholic could read without pain. Such ignorant charges, and in such gross terms too, might have been left to the spouters of the Irish "Missions" or of the Salvation Army.

"The Spirits in Prison" is but the latest contribution to a lengthened controversy, extending from the time of Origen to the present day. One would think that the subject must have been long since exhausted; and indeed it was. St. Augustine² treated the question of Future Punishment *ex professo*, and, as was usual with him, so well did he clinch the proofs of Catholic doctrine, so completely did he pulverise the objections of his adversaries, that for fourteen centuries the controversy seemed at an end. It has been revived in these times of ours; not that any new argument has been found, but because the old ones are not known,—because the advance of science has

¹ The Spirits in Prison. Isbister, London.

² See De Civ. Dei, cap. 19 seqq.

made us conceited enough to think out religion for ourselves, as if electricity could throw any light on the dark region beyond the grave.

And so within recent years this question has come to the front. Quite a number of books have issued from the press; some in proof of an endless hell, others advocating universal salvation, others again in favour of annihilation of the wicked. There is, besides, the great band of authors who are to be met with in every controversy, disagreeing with everyone and each propounding his peculiar view. Nor has the dispute been confined to the theologians: poets and literary men have taken sides. Tennyson has been called "the Poet of the Larger Hope;" Browning sings the same strain; the doctrine "has found its prose idyllists in Mr. W. Potter, and in a higher form in Mr. J. A. Symonds, its gifted and passionate prophet in Mr. Swinburne, and its drunken helot in Walt Whitman."¹

Of recent writers none has contributed so much to the controversy as Dr. Farrar. His five sermons published under the title of "Eternal Hope"—and passionately eloquent sermons indeed they are—may almost be said to have caused uproar in England. They were criticised, applauded, denounced, in the pulpit and in the press; all Calvinistic Britain was excited to a pious frenzy.

I shall soon have something to say of Dr. Farrar's teaching, and shall make here but a passing reference to the spirit that breathes in his books. It is a liberal spirit, for the most part a kindly and charitable spirit. He is often fair to the Catholic Church, reserving his passion for Calvinistic opponents, whom he does not spare. Nevertheless, on occasions he can be anti-Catholic too,—unjustly and unfairly anti-Catholic; but we may forgive that because of the general kindly feeling, and because the author's blows are sometimes intended for individuals and not for the Church.

The beliefs of Protestants about future punishment are thus summed up in Dr. Farrar's "Eternal Hope":—²

"Among innumerable varieties of detail, into which it is impossible to enter, it may be said that four main views of Eschatology³ are now prevalent, namely:—

"1. *Universalism*, or, as it is now sometimes termed, *Restorationism*: the opinion that all men will ultimately be saved.

¹ "Catholic Eschatology." By H. N. Oxenham, p. 167.

² p. xxi.

³ From τὰ ἔσχατα—the last things.

- "2. *Annihilationism*, or, as its supporters prefer to call it, 'conditional immortality': the opinion that after a retributive punishment the wicked shall be destroyed.
- "3. *Purgatory*. The view that, besides Heaven, the final state of the blessed, and Hell, the final doom of the accursed, there is a state wherein those souls are detained and punished which are capable of being purified, an intermediate purification between death and judgment.
- "4. The *common* view [among Protestants], which, to the detriment of all noble thoughts of God, and to all joy and peace in believing, except in the case of many who shut their eyes hard to what it really implies, declares (i.) that at death there is passed upon every impenitent sinner an irreversible doom to eternal torment either material or mental, of the most awful and unspeakable intensity; and (ii.) that this doom awaits the majority of mankind."

Dr. Farrar's books, and indeed Dean Plumptre's also, are not directed so much against the Catholic as against the "common" view. This "common" doctrine was introduced by the Puritans into the English Church. It rests on two foundations,—on the denial of purgatory and on the denial of venial sin.

Every one knows how the Reformers attacked indulgences. This did not necessarily lead to a denial of purgatory; but the connection between the two doctrines soon brought the latter into suspicion. Hence both were swept away by reforming zeal, thereby leaving "a void in doctrine which is perilous to all faith."¹

As for the other foundation, it is easy to see that venial sins make purgatory a necessity. To the Reformer, however, all sin was an outbreak of the original corruption, and as such, mortal of its own nature and deserving of hell. They thus got rid of that which made purgatory necessary, and taking into account the rejection of indulgences, their teaching naturally resulted in the "common view."

But the Calvinists made a still greater mistake by coupling these doctrines with their theories of predestination. They believed that the great mass of men were predestined to hell without any sin and before committing any sin, destined without even the possibility of escape. Surely this was a harsh doctrine; and if Dr. Farrar had confined his attack to the dogma of predestination *ante merita*

¹ Eternal Hope, p. 175.

prævisa, all Catholics would willingly echo his most burning words.

Both Dr. Farrar and Dean Plumptre devote a great deal of space to the history of the question; and this is important from their point of view. It may be interesting to call attention to the variations of Protestant opinion which they trace; their own teaching shall engage us later on.

The duration of hell was a bone of controversy amongst the Reformers almost from the beginning, both in Germany and in England.

The Anabaptists set themselves very decidedly against never-ending punishments. They were condemned so early as the diet of Augsburg (1530).

The English Church had at first a 42nd article to the effect that "they also are worthy of condemnation who endeavour at this time to restore the dangerous opinion that all men, be they never so ungodly, shall at length be saved, when they have suffered pains for their sins for a certain time appointed by God's justice."

This article was omitted in 1563, though the omission did not affect the common teaching, which was undisputed down to the beginning of the eighteenth century. Then universalism began again to be heard of. It was propounded first by Sterry, a Fellow of Emmanuel College, Cambridge, and preacher of the Gospel in London. It passed on through Whichcote, a Fellow of the same College, who attended Sterry on his death-bed. The doctrine found some favour with Barrow and Henry More and Taylor; it was more or less adopted by Stillingfleet, Tillotson, Sherlock, Newton, and many other Cambridge divines; even Butler is quoted in its favour.

Meanwhile the Dissenters were gradually drifting into the same current of thought. The first witness whom Dr. Plumptre calls from their ranks is Elhanan Winchester, who grounded his faith on subjective conviction. Erskine of Linlatham, was certainly the most prominent of those Dissenters who rejected the old Calvinistic tenets. The endlessness of hell is denied at the present day by very many Dissenting divines in these kingdoms, and especially in America.¹

Let us return to the Churchmen. We have seen how Cambridge was favourable to the milder teaching; not

¹ Mercy and Judgment, p. 50; Sp. in Prison, Study vii.

that there was any very express pronouncement, but rather hints and doubts, hopes and insinuations. At length the dispute grew hotter, and it became necessary that the authorities should give some decision. The Rev. F. D. Maurice, a professor in King's College, London, taught openly and expressly that hell is not and cannot be endless, principally because the very notion *endless* implies duration, and there can be no duration in eternity.

Mr. Maurice was denounced to the College Council as a heretic, his principal accuser being Dr. Jelf. A compromise was suggested. Mr. Gladstone made a proposal for an inquiry by competent theologians "how far the writings of Professor Maurice . . . are conformable to or at variance with the three creeds, and the formularies of the Church of England." The Council rejected the proposal, and resolved that the Professor's writings "were of dangerous tendency and calculated to unsettle the minds of theological students." "The continuance of Mr. Maurice's connection with the College" would therefore be "detrimental to its usefulness." Of course this was the action of the College Council alone; the Bishop of London left Mr. Maurice undisturbed in the chaplaincy of Lincoln's Inn.

The next important step was Mr. H. B. Wilson's contribution to *Essays and Reviews*, in which universalism was distinctly advocated (1861). Mr. Wilson also was denounced to Convocation. The matter was brought before the Court of Arches, and the judge, Dr. Lushington, decided against Mr. Wilson. This judgment, however, was reversed by the judicial committee of the Privy Council. These are the words of the decision: "We are not required or at liberty to express any opinion upon the mysterious question of the eternity of final punishment, further than to say that we do not find in the formularies to which this article [of the prosecution] refers, any such distinct declaration of our Church on the subject as to require us to condemn as penal the expression of a hope by a clergyman that even the ultimate pardon of the wicked, who are condemned in the Day of Judgment, may be consistent with the will of Almighty God." Accordingly, this is the law on the matter at present.

Other clergymen followed Maurice and Wilson, not however without opposition. Dr. Pusey entered the lists in support of purgatory, but, at the same time, maintaining the endlessness of hell.

Dr. Farrar's sermons re-opened the controversy. He denounced in scathing terms the doctrine of sensible punishment and material fire. He was more severe still on the Calvinistic teaching, that even the least sin merits everlasting burning. He offended two parties the most opposed—the Calvinists and the high-church champions of the older "orthodoxy." All over England the pulpits rang with denunciation and defence; and the question soon passed into the newspapers and reviews.

As a matter of fact, many mistook Dr. Farrar's meaning; this was notably the case with Dr. Pusey. At first he wrote to a friend that he intended answering "Farrar's mischievous book." The answer soon appeared, and "behold," as Dean Plumptre puts it, "the prophet who came to curse was constrained to bless."

Dr. Farrar found himself "entirely in accordance with Dr. Pusey on every essential point," and "read his essay with unspeakable thankfulness." Dr. Pusey, in his turn, admits that the substitution of the idea of a future purification (instead of a state of probation) would put Dr. Farrar "in harmony with the whole of Christendom." Had he known how ready Dr. Farrar was to make this substitution, Dr. Pusey would have "re-written his book," and would have said, "You seem to deny nothing which I believe."¹

How far Dr. Farrar was really in harmony with the whole of Christendom shall be considered later on: there can be no doubt that he made a distinct movement from the older orthodoxy towards Universalism. His view has since gained ground, and may now be said to be much more common than any other, at least amongst educated Protestants. So one would judge from a series of seventeen short papers in the *Contemporary Review*,² most of which are in favour of the milder teaching.

And indeed, if we distinguish Catholic *faith* from common theological *teaching*, there is not very much in Dr. Farrar's books that could be correctly regarded as strictly speaking *heretical*. The author, however, is unfortunate; he implies much more than he really means, and the effect is that nine out of ten readers mistake his meaning. Mr. Oxenham thus describes his feelings:³ "I find myself at one moment partially, at another wholly, assent-

¹ Mercy and Judgment, p. 18.

² April to June, 1878.

³ Catholic Eschatology, p. i.

ing; then, again, decidedly dissenting, and, not unfrequently, at a loss whether to assent or dissent, or to form no judgment at all, from not feeling clear exactly how much is intended to be affirmed or denied." Many other readers must have found themselves in the same perplexity.

Fortunately the later book, "Mercy and Judgment," is more explicit; yet, even now, the author's teaching is not quite distinct. It is more negative than positive; there are some points in particular in which it is impossible to know what his opinions are. Nor is this to be attributed to any defect of style: when Dr. Farrar sees clearly he writes plainly; but in this case he professes that he does not see clearly at all. This, of course, makes it difficult to analyse his teaching correctly; I shall try to point out what I consider its chief points.

He admits (1) that endless misery is *possible*; yet holds (2) that, "for all, at any rate, but a small and desperate minority," future punishment is of a purifying and corrective kind. (3) Even for the most hardened, he entertains a hope that the *poena sensus*, at least, will one day cease: but what about the *poena damni*? I will quote his own words:—

"It is most erroneously stated that those who believe in the possible restoration of many of the lost, imply that they will ultimately be admitted into perfect bliss. They hold no such view. The *poena damni* . . . may continue long after the *poena sensus* has ended."¹

Dean Plumptre is more decided. He quite agrees with Dr. Farrar as to the salvation of the vast majority of men; but distinctly states² that they who have blasphemed the Holy Spirit, whoever they may be, have thereby committed a sin which hath never forgiveness in this life or in the life to come. And he assures us, moreover, that this is also the teaching of Mr. Maurice and of Dr. Farrar.

Now remark,—here we have two things distinctly admitted: (1) punishment of sin after death, consisting, at least, in the *poena damni*; (2) the endlessness of this punishment for some. With one important exception that is all the Catholic Church ever taught *as of faith*. She has defined nothing as to the number of the elect, nor as to the fire of hell. Dr. Farrar indeed and Dean Plumptre contend that more souls will be saved than the common opinion among Catholic theologians would allow; but we

¹ Eternal Hope, xlvii.

² Sp. in Prison, 238.

should always remember that common opinions are not the dogmatic teaching of the Church.

Yet there is one point on which both Dean Plumptre and Dr. Farrar are certainly opposed to Catholic faith. It is, that some who die in mortal sin may repent after death and thereby be saved. An example will make it clearer. Take the case of a heathen who dies after having sinned once mortally against the natural law, and without having ever elicited an act of faith. What becomes of him?

The Catholic Church teaches that he will certainly be punished by at least the *poena damni* for ever.

Dean Plumptre¹ also is quite decided and distinct. The sinner will be saved by faith and repentance after death. Now what is it to be "saved?" The Dean does not say; but we may well suppose him to use the term in its ordinary sense, and in that sense it means perfect bliss in heaven.

It is not quite so easy to come at Dr. Farrar's teaching. He writes with passion and vehemence against committing such a sinner to any prison of everlasting and material fire; but would he admit our infidel into heaven? In one place² he speaks of heathens being "saved," "not indeed by their profession or their morality, but by Him whom they knew not in his outward manifestation." And yet there are the words already quoted:³ "those who believe in the possible restoration of *many* of the lost, [do not] imply that they will ultimately be admitted into perfect bliss." How many? Perhaps only "the small and desperate minority."

Take another case, one which Dr. Farrar himself eloquently describes. The dying man was no drunkard, or thief, or blasphemer, or unclean sinner; but he has been utterly careless and indifferent; not praying for himself, or hardly ever praying; guilty of sins of impurity, of ignorance, and even of malice; yet he has not been *wholly* bad: he has shown some redeeming quality; some eyes have wept for him tears of sincere regret. He "dies and makes no sign;" dies, as he lived, showing no sorrow for sin, no consciousness even of guilt, no faith in Christ. And if the cedar of Paradise is shaken, what shall happen to the desert reed?⁴

The Catholic Church decides, without hesitation, that, if he really dies in unrepented mortal sin—say of impurity—he shall be excluded for ever from the sight of God.

¹ Sp. in Prison, Study vi.

² Mercy and Judgment, p. 145, 178.

³ Supra, p. 301.

⁴ Mercy and Judgment, p. 160.

Yet even for the worst we may entertain a hope; for who shall dare to say that such a man has really died impenitent? After death, however, there is no room for penance.

This teaching Dean Plumptre as distinctly denies; and Dr. Farrar also, but not so distinctly. For that troublesome sentence comes back again: they may not be admitted into perfect bliss, inasmuch as the *poena damni* may continue long after the *poena sensus* has ended.

There is a second point on which Dr. Farrar seems to differ from the Catholic Church; it is with regard to the ultimate fate of the "small and desperate minority." For such he admits the *possibility* of an endless hell; nay, more, "Hope itself must needs be silent, and lay her hand on her lip." Yet she may *hope on* in silence; for even Olympiodorus, the commentator on Plato, did not shrink from saying, that such persons, "though incurable in themselves, may conceivably become curable by some external impulse."¹ Dr. Farrar expresses a distinct *trust* that *all* punishment may end, even for the most depraved convict in Millbank, no matter how he may die.² He quotes with approval the Poet Laureate's lines:—

"Oh, yet we trust that somehow good
Will be the final goal of ill,
To pangs of nature, sins of will,
Defects of doubt, and taints of blood ;

"That nothing walks with aimless feet ;
That not a leaf shall be destroyed,
Or cast as rubbish to the void,
When God hath made the pile complete.

"Behold we know not anything ;
I can but trust that good shall fall
At last—far off—at last, to all,
And every winter change to spring."³

Yet, here again Dr. Farrar lets slip a few words⁴ which throw doubt on his meaning: "The pain of loss, even of endless loss, may be mitigated into something like submissive contentment." Does he mean that "the small and desperate minority" shall never be admitted into

¹ Mercy and Judgment, 171.

² Eternal Hope, xxix., 106.

³ The reader will find this doctrine of Universalism a key to many of the difficulties of "In Memoriam."

⁴ See Mercy and Judgment, p. 170.

heaven, but neither shall they suffer from this exclusion any endless *pain*? I confess myself unable to decide.

We know well what the Church considers a matter of faith. Any hope that to each one of the damned "good may fall," though only "at last" and "far off" into the ages—any trust that "every winter shall change to spring," if the "good" and the "spring" mean the sight of God in the abode of the blessed—any such trust or hope is heretical. But a hope that a time may come when "endless loss may be *mitigated* into *something like* submissive contentment," however much it may be opposed to *Catholic teaching*, does not appear to involve a denial of any *dogma of faith*.

For one may hold without heresy that the damned enjoy certain intervals of rest when they are free from pain.¹ Nor do the theologians quote any decree to the effect that the pain of loss shall be felt as it were sensibly for ever. Two things only are of faith: that there is future punishment for sin, consisting, at least, in exclusion from heaven; and that it will last always.² Nothing more has been defined as to the nature of the punishment. Now, even though "the endless loss were *mitigated* into *something like* contentment," it would still be "loss" and therefore punishment. Hence it would appear that one may without heresy hold that there will be such a mitigation.

In as much, therefore, as Dr. Farrar's words do not clearly imply anything more than such a hope of mitigation, no one has a right to condemn this latter portion of his teaching as heretical. It is to be desired indeed that his explanation were a little more distinct, as many may rise from his book with a mistaken impression. But on the former point he is decidedly opposed to Catholic faith; for, as Cardinal Newman³ says, "we cannot admit . . . that a man's probation for his eternal destiny, as well as his purification, continue after this life." We cannot admit that even one mortal sin may be atoned for in hell. Nor can we admit any doubt or hesitation about these things.⁴

W. McDONALD.

¹ See Mazella, *De Deo Creante*, n. 1306.

² See Perrone, n. 799.

³ See *Mercy and Judgment*, p. 20.

⁴ Irish Protestants are, for the most part, either Presbyterians or Episcopalians. The former believe in "eternal death" and "everlasting destruction;" the Episcopalians are divided pretty much as in England. Dr. Jellett and Mr. Barlow, of Trinity College, Dublin, have written in favour of the "liberal" view; Dr. Salmon, the Professor of Divinity, has always defended the old and orthodox teaching.

NOTES ON VACATION.—No. III.

PENZANCE (*the bay of the promontories*) is a pleasant place in which to spend a Sunday, and this is still a consideration for a travelling Catholic, though churches are every year becoming more numerous in this reviving land. Indeed, every kind of fancy and faith seems to be provided for even in this Ultima Thule; the Salvation Army had its temple crowded to the very doors and beyond them, while one tabernacle we passed on our way to mass held out the (to us) novel inducements of two sermons—one to be preached in the morning by a reverend gentleman and the other in the evening by his wife! However, we resisted the temptation and found ourselves instead at the excellent dinner provided by the Queen's.

The great thing to be done from Penzance is, of course, the Land's End. The Lizard Point, lying midway between this place and Falmouth, may be done from either. We having done it already, concentrate our energies upon the Land's End, and brace our minds for its due appreciation. The preparations for the expedition, however, are not of a soul-inspiring character. Half a dozen omnibuses are touting opposite the Queen's while we are at breakfast, and to show ourselves in the portico is to raise a clamour almost as loud and importunate as a similar self-presentation used to do at Naples. The inside seats are vacant, for who but in dire necessity would care to go to the world's end (as here it seems to be) in an omnibus? while to seat ourselves on the giddy heights of the roof (at least if one could foresee the wild and precipitous hills to be dragged up and tumbled down during the drive) requires an amount of heroic nerve power which is not always at command. So our host wisely provided us with a comfortable carriage and good pair of horses, which took us when and how we liked to our two destinations.

Two destinations we say advisedly; for now it seems that there is a Logan Rock of great renown which is supposed by some erratic imagination to be in our way to the Land's End, though it is quite out of it. But in this wild Cornish land where tracts are as irregular as the lie of the country, every place is on the road to every other. So to the Logan we make our devious way.

We climb the heights which shut in Penzance to the west (for placed as Penzance is within an amphitheatre of

hills, save on the sea-side, we cannot quit it without climbing), cross the wild moorland, drop abruptly into the beautiful Vale of Lamorna, sweep round the pretty cove of the same sweet-sounding name, and then climb the heights to Bolleit (*the place of blood*), where, in A.D. 936, Athelstan defeated the Britons, and commemorated his victory, as became a good Saxon Christian, by founding at St. Buryan, the next place we pass through, a College of Augustinian Canons. Down again to the sea at Penberth Cove, up again to the storm-beaten sturdy village of Treryn (which please pronounce *Treen*) where we leave our carriage and walk, for we can no further drive, to what is truly called the grand promontory of Treryn Castle, or Treryn Dinas (*the place of fight*). What a place for fighting! The wild, indented, rock-bound coast, from which every vestige of life and life-sustaining earth has for ages been swept away, is here suddenly stayed in its fierce sweep, and as by some bold outward rush, a rugged promontory in three successive waves of rocks starts forth and heads the wild waves, which here at times work their wildest, and stands unshaken and masterful in the midst of their fury. As may be supposed, nature's masonry is here of the grandest and boldest. Rock upon rock, or rather cliff upon cliff, is piled up in the wildest confusion, while man's work, the triple vallum and fosse, is scarcely observed, so grand is nature's work in this bold headland.

So majestic and vast are the rocks, that after wandering around, over and between them, we have to enquire for the Logan Stone, though it is some sixty-five tons in weight, and measures seventeen feet in length and thirty in circumference—dimensions and weight which are as nothing here, though to a certain Lieutenant Goldsmith (a nephew of the poet) these were matters of no little consideration: for with a heedlessness of consequences and a love of fun, quite characteristic of his race and name, it seems he, with some wild sailor companions, recklessly overturned the Logan Rock, just to show that the antiquarian Borlase was wrong in asserting that it could not be overturned: and when the Cornish men raised an outcry, "My Lords of the Admiralty" ordered the reckless Goldsmith to replace it, which was accordingly done by aid of capstans and scaffolding at a cost to the Lieutenant which, it is said and not improbably, crippled his limited resources to his dying day.

The venerable guide that showed us the lions of the

place was urgent in impressing upon us the fact that the Logan had never been really overturned, but only slightly displaced from the point upon which it originally rested. He would not allow that one of his chief lions could be overcome by any power. This same guide is of such great antiquity, that he looks as though he could tell us, if he chose, the history of the ruined castle and the "fight" from which the place took its name, in which he probably had a hand if not in the placing of the Logan Rock upon the sharp pinnacle on which it rocked so freely by the famous Cornish Giant Tregeagle, whose Herculean labours explain so many difficulties in local geology. However, be this as it may, he (the guide and the giant, too, for aught we know) is in a vigorous old age, and offered to lift us, foot in hand, up to and astride the rocking stone. This queer footing feat we left to our junior *alter ego*, who sat in state with a firm grip of his stone saddle, and rocked the Logan backwards and forwards, at least so he and the guide maintained, though we must confess that to our aged eyes the Logan remained as immovable as the promontory of which it forms the crown. However, feeling is believing quite as much as seeing, one sense is as good as another, and better in this case, so we give in, and allow that the Rocking Stone rocks. And now we pursue our devious route to the Land's End, and only regret that we do not deviate still more from the right way, for the cliffs run out into many a grand headland, which shelters many a charming cove, as they wind southwards till at the Ella Rock they bend north with an ever westward bearing till they find their extreme western point at the Land's End. But the carriage cannot climb and creep around this roadless way, but must turn inland again, and so we miss sundry quaint headlands and gaunt fantastic rocks, and hasten to our destination after which we are once more beginning to yearn.

Here we are at last at Bolerium (*the seat of storms*) as the ancient geographers called it, the Land's End; with nothing but the broad ocean before us; the line of cliffs running inwards on both hands, one to the north-east and the other to the south-east. Here we stand on the headland. What is it? Simply a mass of granite sixty feet high: that is all. Many a headland on this sea-riven coast rises to a greater height—yet is this the grandest of all, and that chiefly through its position. Miles upon miles may we wander or sail along the coast, and though we

double capes and follow the curvings of bays we are still advancing in the same direction, however winding our path may be. It has been ever westward in beautiful South Devon as hitherto in this grand Cornwall, but here is the Land's End, at which our westward path ceases. No gentle indentation will lead us westwards again; no bold promontory will show us the old direction towards the setting sun. No; here is written as though by nature's hand upon the time-worn, storm-torn granite; thus far shall you go, and no farther. The rough fragments which carry out the extreme point beyond the cliffs, the Longship Lighthouse, which crowns a still more distant rock, and even the Scilly Isles which sleep in dim outline in the setting sun; these are but tokens of what might once have been a still more western part of England, but here the bright sea-girt Isle has its western ending, and henceforth the line of coast is north and east, the abrupt turning-point has come, and our way is no longer as before. This in truth is the thought which makes the Land's End so impressive, and which gives it above all other spots that name. It is a turning-point, as we have just said, but it is something much more. It is an end, and must be followed by a new beginning. It comes as a surprise, a waking-up from a dream, a sudden stop; it is the end—nothing less.

And here before us rolls the mighty Atlantic; on has it come in storm or calm, but ever in swelling waves which at times beat in thunder and at others, as now, murmur in gentle breathings upon the Land's End, the first point where it impinges upon this land of England. Here, at last, its waters part and roll on past the Southern coast, or turn northward to rush in a gigantic tide up the Bristol Channel. Here has the battle raged between the vast ocean and the outermost bulwarks of the island. The waters pass on and bear no abiding mark of the strife of ages, but not so the shattered, torn, and yet unconquered headland; and as we climb its worn sides, scrutinise its caverned recesses, and marking what has been torn away, gaze in wondering admiration at what yet remains, we feel that the Land's End is a spot to linger on, and that it has a grandeur far beyond its measured dimensions, and a history of a life's struggle reaching back into dim ages. No wonder Cornish people call it *Pen-von-las*, the end of the world. But we must leave our musings and return by a new route to Penzance, where we spent our time pleasantly

enough in wandering along the heights and penetrating into the recesses of our Mount Bay, which has, besides its picturesque castle, fishing villages, and notably its ancient capital, Mouse Hole (*mouschole*), redolent of pilchards, and abounding in sturdy fishermen and wives but little distinguishable from their husbands in dress and calm concentrated physical energy.

Again we are on the railway, returning on our previous route, at least as far as Bodmin-road Station; and here we stop, for we are bent upon a pilgrimage to that part of Cornwall which is more especially Arthur's Land. The drive from the station to Bodmin is some six miles, but it is far too short; for here we are again in the Glynn Valley, whose lofty wood-crowned heights shut in and seem to hold as long as they can in loving embrace the two rivers, Cardinham and Fowey. What windings and curves the jealous hills make to keep their own Cardinham from running away and losing itself in the grander Fowey. What pools they scoop out, what bowers they overhang and shade to keep their young river at home, and as we trace its homeward way we feel how nothing but its yearning for the sea can excuse its wanderings.

Bodmin is a hill-enclosed town with one broad street which leads you boldly upwards out of the valley in which the other street and everything but its Church is buried. That Church, which stands as high up as it can climb, is now undergoing restoration, and in right of its being the largest in Cornwall, having a length of 150 feet and a breadth of 63, and because it moreover possesses a Chapel of St. Thomas of Canterbury, partly in ruins, deserves at least this passing notice. The next morning, we start by omnibus not for a station, but for a long drive, for here at least railways are unknown, though they have sent this strange vehicle for steep hill climbing, as a kind of pioneer before them, on the principle that where one can go the other can follow. Up and down the omnibus climbs and slides, the passengers outside and the luggage alone within; now over a long stretch of moorland, at one part relieved from its monotony by a distant range of hills, not rounded and smooth-headed, as one could look for here inland, but bald, rugged and with many spiral pinnacles, for even here the wintry storms and summer rains have done their work, tearing away all that is friable, washing down the outcome of their labour, and leaving nothing but the gaunt skeleton to tower over the moor—we cross the

Camel (*the winding river*)¹ and in due time came to Camel-ford. Here we are in truth in the land of Arthur, for here tradition says the king fought his last great fight with Mordred, and so here, once and for all, we quote Tennyson's well-known lines :—

“So all day long the noise of battle roll'd
Among the mountains by the winter sea ;
Until King Arthur's Table, man by man,
Had fall'n in Lyonesse about their Lord,
King Arthur.”

Where Lyonesse is or was nobody seems to know. At Penzance it is maintained that it lies overwhelmed with its forest and all in Mount Bay, and sundry other places put in their claim, while the guide-book, with becoming impartiality, admits them all, and quotes these same lines whenever these places are spoken of. We deal more mercifully, at least in this respect with our readers, and as we have said quote them once for all.

Camelford has nothing but its name to remind us of Arthur's Camelôt, or of Guinevere, daughter of “Leodogran, the King of Cameliard,” save for the legend which places Lyonesse so near it. We toil up and down the steep hilly street; but the spirit of Tennyson is not upon us, and indeed we can hardly expect to find it on the top of an omnibus; so we look over to the distant sea and catch, or try to catch a glimpse of Tintagel on the cliffs; this comforts us, and soon drawing near to Boscastle, we wake up to the romantic beauty of a spot which comes upon us as a great surprise and delight.

Boscastle stands on the slope of a steep hill which divides a broad valley into two parts: each branch has its rapid stream, both of which unite in one of the quaintest and smallest, and yet fiercest of harbours. So steep is the hill that our omnibus does not attempt to drive down its street, but makes its way to the sea-shore by long and yet steep sweeps, which at turning-points command the pretty village now below, now level, and at last above us. Every where the houses are surrounded by orchards and gardens, and almost every house enjoys a coign of vantage, so

¹ Tennyson describes it in less than four lines :—

“Then to the shore of one of those long loops
Wherethro' the serpent river coil'd, they came,
Rough-thicketed were the banks and steep, the stream
Full, narrow.”

broken is the ground and so abrupt its risings and falls. Its name is obviously Norman-French, from the De Bottreaux who built its castle, and even now its different parts bear Norman-French names.

When the two mountain streams unite their noisy waters, the breadth of the river is narrow enough; now its waters are nearly exhausted, but its fine, long bridge shows that at times it is a grand river. Hills rise up abruptly from both its banks and a sudden curve to the south shuts out the sea and leaves the harbour land-locked. It is well for the little port that it has this grand protection; these verdant hills are indeed grass-clothed cliffs, as we find when we follow their windings to the open sea; for even with their shelter and the natural breakwater of the long entrance passage and the island rock which guards its mouth, the little quay is provided with hawsers of woven wire as thick as a man's leg, to guide in the small craft, and to hold them in what looks like a well-protected harbour. Ropes of ordinary dimensions would be useless here, and these sturdy coils which elsewhere would hold a man-of-war, are the only ropes that can be depended upon. We smile at the disproportion between the little quay and its huge hawsers, but soon learn to respect the tiny harbour which can require and use effectively such powerful instruments. As we stroll along one of the paths which wind up the side of the entrance to the harbour, look down upon its narrow winding channel, and come upon the mouth where it opens into the sea, we understand the necessity of those iron ropes and only wonder at any power being able to cope with the force that here shows itself, not now in action, but in the many tokens around us of what it has done and can do again.

These worn cliffs, so rigid in their desolation, so bony in their outline, so fierce in their sore-tried but never-conquered strength, with not a particle of weakness left in them, not a crevice but has been searched, not a root but has been riven—these Cornish cliffs are a never-failing source of wonder and awe: we gaze with reverence upon them, they seem so eternal. We have left our useful but humble equipage behind, and are once more free to follow our own fancies and to wander whither we please. So we think, but in truth it is not so. For is not Tintagel—Arthur's birthplace and Mark's Castle, overgrown with ancient traditions that have entwined themselves around the ruins and cliffs of this legendary Cornwall, but clustered chiefly

here—is not Tintagel almost in sight, as we stand upon the cliffs that overhang and guard Boscastle, and do we not feel that it will soon be upon us with all its natural grandeur and its mystic glories? We cannot linger here, but must needs hasten on, and resolutely, if not wisely, choose the way along the cliffs rather than the road which would bring us more quickly to our destination. But we have had enough of roads and the tyranny of carriages, and now that we are free we will at least keep to the heights which overhang the sea and make, as best we may, a way for ourselves.

But Cornish cliffs, with their deep indentations, even the enclosed fields and their fences are on so grand a scale that progress is but slow and Tintagel still out of sight. However, upwards and downwards, inland to cross ravines, and along the edge of the cliffs to enjoy the glorious coast scenery, with its wild headlands and rocky islands lying just off the shore, ever onwards, but with scarcely perceptible advance until we at last lose our way so completely that we find ourselves on the public road which we intended to have carefully avoided, and which is shut in landwards by a range of hills that was once the barrier between Saxons and Britons. But Tintagel has been seen, and so walking in a scorching sun becomes tolerable even on a dusty road when such an end is before us. Longbridge, with its renowned St. Nighton's Kieve—a fountain which leaps some forty feet into a keeve or basin and owes most of its beauty to the exquisite sylvan scenery through which it has to be explored,—Bossiney, once a place of mark, but now a pretty village, are passed, and we reach Trevena where we quarter ourselves in its comfortable inn, and refresh ourselves ere we explore Tintagel. Trevena is a place to rest and be thankful in. A single street, with a few cottages, a second hotel, an ancient post-office, so romantic and picturesque that it has been painted, engraved, and photographed until it seems at last sinking into ruins, if so ponderous and sturdy a building can ever come to ruin, under the weight of its renown. Trevena is full, which means every room in every habitable dwelling within it is occupied. We are planted out, but meet together at meal time, and then the tables are as closely packed as any nursery bed before the transplanting begins. And yet there are not many people at Trevena. A large hotel would hold us all; a monster establishment would with us Trevena-ites only be considered empty. So we have no mob, and, of course, no

band, and no promenade. The real attraction of the place is Tintagel Castle; indeed, we always called Trevena Tintagel, and as such it lives in our memory. You walk down the one street and see nothing of the Castle; you might go round and about and still not see it, and yet it is close at hand. Turn down a lane, which seems to lead nowhere, only a rapid descent to the coast, and such lanes are common enough, but follow this one and your rough path soon lies between two lofty hills, grass-covered cliffs, which grow really, and not only apparently while you descend, until you come out upon a landing-place of small extent and find the sea rolling in its waves grandly before you; but into what fine caves and amid what wild precipices are those waters rolling! The landing-place is not on the seashore, but high up on a cliff overhanging the sea, from which the boats are lowered down and drawn up by windlasses and elevated on cranes, like merchandise from warehouses in cities. The harbour, if so it may be called, is shut in by lofty precipices, those to the right are hollowed out into deep caverns that are ceiled with ferns growing downwards in beautiful luxuriance; to the left rises in all its majesty of three hundred feet the grand promontory crowned with the ruins of Tintagel Castle, "Tintagel half in sea and half on land." The people, properly enough, call the headland the island, for so indeed it is, only the waters which flow when the tide is up around its inner side make their way through a vast and lengthy cavern which is open at both ends. Thus from above the island appears to be a peninsula. From the landing-place a rude path leads upwards over the ruins of what is supposed to have been a bridge, and up a still more rough and ill-protected staircase of broken stones which creeps around the inland face of the precipice, clings (as many a climber does) to the jutting points, and at last terminates in a postern gate, which now supplies the place of that "Castle gateway by the chasm," down which Merlin and Bleys passed on that "dismal night—a night in which the bounds of heaven and earth were lost," to carry off Arthur "when Uther in Tintagel past away," or, as some said, to bring thither a "naked babe, that rode to Merlin's feet, who stooped and caught the babe, and cried, the King! Here is an heir for Uther." So we enter and find ourselves amid the ruins which spread in all directions and cover with the merest outline the whole extensive promontory. It is not a broad plain, nor can any definite idea of the once famous castle be traced. The broken fragments of walls

near us, of dark and sombre hue, edge the perpendicular precipice beneath which the sea rolls its waters, laving its base and thundering into its gigantic caverns. We climb the inner side of the level upon which the gate opens and reach much higher a broader expanse in which recent excavations had brought to light the foundations of walls that mark the site of the Chapel of St. Juliot. But all else is shapeless.

We lie upon the grass and look out upon the broad ocean or inwards upon the bold line of coast, or immediately across upon the ruins which crown the mainland, and have more form and character than those around us. Memory may recall the scenes which have once been acted here; for Tennyson has painted in poetry which can never die, the Idylls of the King, and Wagner has married his own beautiful thoughts to music which will make them immortal; while other poets in every land and through long ages have sang in every tongue in Europe and in the Far East of Tristram and Isolde, of Guinevere and Lancelot, of Percivale and the Holy Grail, and chiefest of all of Arthur—

“ Who revered his conscience as his king,
Whose glory was, redressing human wrong,
Who spake no slander, no, nor listen'd to it.”

And while we call to mind that terrible incident in *The Last Tournament*, here localized by Tennyson's powerful pen, we would fain put away that memory of Tristram and Queen Isolt, and of King Mark, her husband, and prefer to dwell upon Wagner's beautiful picture of pure love and unshaken loyalty which makes the Irish Princess so winning in all eyes, Tristram so noble and Mark so magnanimous. Which is the true version we need not enquire; but where all is so vague we may well choose the sweeter, if less powerful, picture, which has the charm which music can throw over it, and give the victory, it may be, to the poet-musician over him, who if the greatest now living of his class is poet only. And so our thoughts wander from the ruins around us to those who once peopled and made Tintagel famous; and in truth memory and imagination have a wide range here where nature has built for all time, and man's work has well-nigh passed away.

But there is more to be seen than the heights reveal, and so we descend the rugged, broken, and uncertain steps and scramble as best we may where, as Norden said years

ago, "he must have eyes that will scale Tintagel." Again we are at the curious harbour platform, and, as the tide is past its ebb, we hasten downwards over the rocks to the sands to explore the little bay which nestles under the heights of Tintagel. How bright and sunny is the enclosed area of sand, how beautiful the long undulations which creep towards us, and yet how stern and fierce are all the surroundings of the glittering shore. Up out of the waters, but just here out of the sand, rises the gigantic promontory, not quite vertically but curving outwards, where it is not broken into caverns, so that the castle-crowned summit overhangs the waters to mock in storms the shipwrecked mariners who see no possible escape from the wild waves around them. What a power these waves must have! The chasm of three hundred feet which separates the island from the mainland, has not as yet yielded to the working of the waves, though they have ploughed a cavern through its whole length, and so, as we have said, have really insulated Tintagel. Thus, we may see in operation that power which has cut off promontories and converted them into islands along this wild coast. And how great, too, is that power in the slatey stone which here offers such resistance to the force of ocean. Century after century passes and Tintagel is the same lofty height, and seems to defy the waves which beat so incessantly around and against it, seemingly defying, but that force is ever undermining, ever widening small crevices, ever enlarging its caverns, ever working onwards. How calm in rest, and how fierce in storm; but every rise and fall of the tide is doing its little share in the work of destruction, and we feel that in time, however long it may be, the grand historic height must fall. Thus is the picture a mournful if a grand one. Our human sympathies are with the land, our own land, and with man's work thereon, however worn and fragmentary it may be, and we turn almost in anger from the glorious ocean which here seems to mock us in proud proclamation of its mastery. This is my work, it seems to say, you may wander amid these caverns which I have carved out of your eternal rocks, you may glide over my waters in your boats and bathe in their cool and transparent depths, but only while it is my pleasure. When I return this place will be inaccessible, and when I come in storms nothing human can live here. And so it is: we creep through the deep, silent, mysterious caverns and tremble at the thought of what would befall us did

the tide suddenly rise, or a storm dash the waves into our quiet resting place. We look up at the rough boats suspended from the cliffs high over our heads, and at the rocks which the ocean has by its underminings made inaccessible, and in truth we feel it a mental relief to mount upwards once more and to look from the safe stand-point upon what is so awful in its calm and now silent grandeur. Upwards we mount, and now not to the island, but to the opposite heights across the chasm to where another castle, or more probably another portion of Tintagel, crowns the mainland, and commands the view over the spots we have already visited. To reach this, we have to return upon our original way from Trevena and to climb by a long steep path from behind, the sides of the chasm being too perpendicular for climbing from the landing place.

Here the ruins have more definite form and have a kind of modern aspect mingled with the grim features which characterise Tintagel, but not modern enough to be altogether out of harmony with the rest. There are doorways and windows at different heights which the mind can easily piece together and out of such fragments construct at any rate a portion of a Castle; but even while we are wandering about them we feel that they are not wanted in the picture. It seems to us that they are at best but intruders into Arthur's birthplace. Tintagel, of course, has its modern history. It was the residence of royal Earls of Cornwall, and was "kept up," as we are told, until the reign of Elizabeth, when prudent Burleigh left it to fall into ruins, the expense of sustaining it being too costly. And so it was left to itself. Then the later building fell into decay, perished, and little more was left besides the earlier fragments to crown the grand headland of Tintagel.

These maintain themselves; these fragments of sombre hue, cold slate, without even the ordinary patch of colour which lichens give, built upon their kindred rock, have grown almost into a portion of that rock itself, yet are enough to give a suggestive outline to the scenes the mind recalls or the imagination pictures. And, surely, it is better so. These legends need no more to give them "a local habitation and a name." The mighty ocean is there, the grand headland with its majestic natural features remains. What is passing and trivial is gone. The dim past seems to revive, the shadows of those who gave renown to Tintagel cluster mysteriously around its heights,

glide through its dim recesses, and mingle their voices in the sighing of the winds, in the murmur of the distant sea, and in its half-muffled roaring in the caverns beneath. All this is in harmony. The past lives once again in the present, but lives alone, for this present has no part in the memories of that past.

HENRY BEDFORD.

THE NEOPLATONIC PHILOSOPHY.

THE great Bossuet said in one of his works that when he examined the human soul with all its faculties, with its vast ocean of reasons and of ideas, he could find scarcely a single one even in its deepest and apparently most secure retreats, that was not made remarkable by the wreck of some celebrated personage. The practical illustrations of this deep reflection of the Bishop of Meaux have become sadly numerous. The number of remarkable personages whose names remind us of some philosophical error has increased to a degree that could hardly have been imagined in the seventeenth century. The reasons and the ideas remaining much the same, the wrecks continue. But there is nothing new under the sun. As the prevalent heresies of the last few hundred years revived in their minutest details the errors of the host of sectaries that swarmed round the early Christian organization, so modern infidelity goes back to the "dark ages" of heathenism to gather from them the speculations of human thought that were rife two thousand years ago. Again the old errors appear in a new garb. They are dressed in the fashion of their time. The new machinery has supplied them with habiliments of a finer texture, and of a more fascinating colour. Abelard, Arnold of Brescia, or even Rabelais would scarcely recognize them in their modern outfit. Hegel develops the "Evolution" system of Heraclites. Fichte and Schelling borrow their principles of idealistic pantheism from Parmenides. The disciples of the "transcendental" Kant adopt the notions of Gorgias and Protagoras on sensation. The communism of Plato's Republic is the theme of European and of American socialists. Fenerbach, Moleschott, Buckner, Comte, Taine, Renan, Spencer, Stuart Mill, and Professor Bain have much in common

with Democrites, Epicure, and Enesidemus. Shoepenhaul revives Averroes. In this "age of progress" we are going back to the war of conflicting elements that raged before the establishment of the Church. The American pantheist, Emerson, whose name has thrown a shade of philosophic culture over the States of New England, said that if he were to write the inscription for the temple of modern philosophy, he would have carved on its portals the word "Whim." Such, indeed, is the fundamental science in the region of free-thought outside the Church, and certainly one of the greatest compliments that has been paid in recent times to the scholastic system is that it has been ignored altogether by some of the most notorious of the modern propagators of error.

One of the very interesting forms of ancient teaching that has been revived in this century is that of the Neoplatonic or Alexandrian School, represented by the writings of Victor Cousin in France, and by the partisans of the "Natural Religion," the rationalistic worshippers of the Supreme Being in that country, as well as in England and Germany. In the never-ending struggle between combined reason and revelation against erring human reason alone, the Neoplatonicians played a conspicuous part. They adopted the outlines of Christianity and strayed for the rest into a sort of mystic pantheism. Their teaching has made its way to the surface more than once in the history of the Church. Origen became to a certain extent its victim. Augustine was fascinated, but before his conversion. Later on Amaury of Chartres, David of Dinan, and our own Scotus Erigena were imbued with its spirit. In the fourteenth century Maitre Echart revived it in an exaggerated form. The pantheism of Spinoza and of Saint Simon, though starting from a different principle and arriving at a very different term from that of the Neoplatonicians, bears a strong resemblance to the pantheism of Alexandria. Hence the following notes on the original school may not prove uninteresting:—

The history of the Alexandrian or Neoplatonic school occupies a space of about three hundred years, extending from the beginning of the third century to the early part of the sixth, when Justinian suppressed the chairs of philosophy at Athens, and Isidore of Gaza was obliged to take refuge in Persia. It was founded by Ammonius Saccas, who counted amongst his first disciples the illustrious names of Origen and Plotinus. The partisans

of the new school soon found their way to Rome, to Athens, and even to Pergamus and Antioch. Besides Ammonius and Plotinus, the most famous of its teachers were Porphyry, Longinus, Proclus, and Jamblacus. As a psychologist and metaphysician, Plotinus holds the first place, which may be judged from his works, "On the Essence of the Soul," "On Intellect, Ideas and Being," "On the Three Substances, and the Two Matters." Many circumstances combined to involve his writings in great obscurity. His biographer, Porphyry, says that he had engaged with Ammonius not to divulge his doctrine except to a few select friends, that he did not practise writing until he was fifty years old, that he selected his subjects without order as questions arose, that his eyesight was bad, his spelling inaccurate, and his titles very much confused. On the whole, his works would have been unintelligible were it not for the interpretations of Porphyry and of Proclus. He taught the existence of one God, the maker of all things, the preserver of man and of the world. In this supreme and infinite Being he placed three mysterious natures or hypostases, differing, however, from the Persons of the Christian dogma in the principle of inferiority and emanation. He taught the immortality of the soul, the degradation of human nature, and the need of divine assistance to resist its passions. The soul of man having been engendered by divine power, should turn towards that power, and make of it its object of contemplation. Contemplation is satisfied only by the good, the beautiful, and the true. These are identical with God. The soul aspires to resemble God and to be united to him. Union with Him is happiness. This ineffable union is not only "*vision*," it is "*ecstasy*," the perfect quiet, the complete abandonment, the confusion or absorption of the finite in the heart of the infinite and the one. He also taught the pre-existence and transformation of souls, the doctrine of "*emanation*," by which the world proceeds from the divine substance of which it is in reality a part, and hence the confusion of the natural and supernatural orders. The disciples of Plotinus indulged in so many and such fanciful speculations as to the nature of God, that a famous German critic has termed the whole system "*Ineptum philosophiae genus*," "*crassus enthusiasmus*," "*gentis frivolae superstitio*," "*delirantis ingenii somnia*," and yet St. Augustine tells us that many of the new Platonists held nearly the same doctrine as himself, and that they might

have become Christians, “*paucis mutatis verbis et sententiis.*”

It is well to bear in mind that at the time when this philosophy flourished the city of Alexandria had grown to be one of the largest emporiums in the world. “*Vertex omnium civitatum.*” Commercial men and students flocked there from foreign countries. “I see amongst you,” said one of its doctors, “not Greeks only or Italians, not merely Syrians. Lybians, Cilicians, Ethiopians, and Arabians, but Bactrians and Scythians, Persians, and Indians, who flow together into this city and are always with you. They were a lively and industrious race.” “*Civitas in qua nemo vivat otiosus.*” Of modern people they were most like the Parisians. They were fond of jests, of sports, and of music. The extreme levity of the students often provoked lively sallies of the professor’s temper. “Gentlemen, would you be only serious and attend for a few minutes,” says Dionysius, “since your whole life is spent in childish sports and in attending to nothing. Sports and pleasure and laughter you have in abundance, but there is an entire want of seriousness. If you would only be silent when you are addressed on a grave and serious subject, and give a little of the attention you pay to a horse-race, or a concert, or an opera-dance; one hour of sober thought would be to you like an hour’s rest to a man in delirium. The moment you go into a theatre, or a race-course, you lose your senses: you scream, you howl, you throw stones at one another, and dance about like madmen.”

Yet, underneath this outward levity, there was a current of a peculiar kind of seriousness in the Alexandrian mind, which prepared it for the Neoplatonic system. It was essentially syncretistic. Even before the Supreme Being was known amongst them, Isis claimed the worship of all the gods of the universe. She gives the following account of herself, according to Ovid:—

“*En adsum rerum natura parens, elementorum omnium domina, saeculorum progenies initialis, summa numinum, regina manium, prima coelitus, Deorum Dearumque facies uniformis, quae coeli luminosa culmina, maris salubria flumina, inferorum deplorata silentia nutibus meis dispenso:—Cujus nomen unicum multiformi specie, ritu vario, nomine multijugo totus veneratur orbis. Me primigenii Phryges Pessinuntiam nominant. Deum matrem; hinc autochthones Attici Cecropiam Minervam, illinc fluctuantes Cyprii Paphiam Venerem; Cretes Sagittiferi Dictyanam*

Dianam : Siculi trilingues Stygian Proserpinam ; Eleusinii vetustam Deam Cererem ; Junonem alii ; Bellonam alii ; Hecatam isti, Rhamnusiam illi ; et qui nascentis Dei Solis inchoantibus illustrantur radiis, Æthiopes, Ariique, priscaque doctrina pollentes Ægyptii, ceremoniis me propriis precolentes, appellant vero nomine Reginam Isidem."

The worshippers of such a goddess were already pantheists in principle. They required only the notion of universal substance in order to formulate their belief. In the system of Plotinus, as well as that of Spinoza, the individuality and the conscience of the person are lost after death. They become absorbed in the great substance. Hence, for them, the insurmountable difficulty of explaining the existence of evil, of suffering, and of imperfection in the world.

"For us," says M. Jules Simon, "who believe in the creation, and who make of man a distinct and separate being, we understand the existence of suffering and of evil. We understand the constant, rude and obstinate struggle of this thinking atom against the immense and insensible forces of nature. Convinced of our immortality, because we are convinced of our individuality, we feel that being immortal, the victory, though dearly bought, may still be won. We go through the busy world bearing within us what is at the same time the resignation, the consolation, and the courage of indefectible hope. What do the pantheists offer us in the place of this immortality and of this identity ? They leave us the struggle, and take away the recompense. They expose our wounds, and, for all consolation, inform us that we are only an infinitesimal part of a whole full of health and of harmony. Man may groan and suffer as long as the serenity of the whole is not overcast. He dies—but his death does not diminish the mass of being. His life will be attached to other atoms to produce other phenomena in the common heart of nature. Dead and insignificant immortality which my heart denies, which my conscience abhors, and which is the annihilation of the person, if it is not the annihilation of being ! When death appears, what remains of me interests me no longer. My soul is absorbed by the universal soul, as my body by the earth to which it returns. What matters it to me if the inert parts of my body enrich the earth after my dissolution ? What consolation in the physical theory that not a molecule will perish ? What difference between the destiny of my corpse and that which pantheism promises to my soul. I shall die altogether. "Omnis moriar." The future of my substance is not my future.

"In the history of pantheism there are three memorable names : Parmenides, Plotinus, and Spinoza. They recall very different epochs of civilization. Parmenides, the Pagan world and the first ages of philosophy and of letters ; Plotinus, the last defenders of the

antique civilization struggling against the teaching of the Gospel ; Spinoza, the triumph of Christianity, its entire and universal authority. All three have been vanquished with the same arms—Malebranche and Fénelon—those minds so clear, so subtle, so capable of going into the depths of things, have not hesitated to renew the arguments of Clement and of Basil, of Cyril and of Augustine. They have shown that Being who is absolute perfection, bearing in his heart all the wants, all the weaknesses, all the imperfections, and even the horrors of the world. Immensity everywhere divisible. Sovereign goodness united in the same being to all the perversities of nature. The same substance creating and destroying, building up and overturning, producing good and evil, establishing the rule and violating it. God and the world blended together in contradiction and chaos.”

In the seventh century there remained little trace of Neoplatonicism in Alexandria. Free thought would not follow any definite line. Luxury, habits of self-indulgence ran their course. Literature was encouraged for the pleasure it gave. Instruction took the place of education. What was not Christian fell into an obscurity, from which, as far as philosophy is concerned, it has never since emerged.

J. F. HOGAN.

THEOLOGICAL NOTES.

FULMINATION.

THIS¹ term has its use in connection with excommunications as well as in the matter of Rescripts. Indeed the lightning stroke to which it seems to point is more closely resembled in the former than in the latter. A fulminated sentence of *Anathema*, particularly, imitates the thunder-bolt in a way which sentences pronounced by delegates in executing Rescripts can equal only in the quality of sending forth the effect straight and decisively to its recipient. As, however, it was chiefly on the ground of this analogy the term was introduced, *fulmination* came naturally to be applied to two processes in Canon Law, which, though different from each other, agreed in the

¹ At the foot of page 268 in our Notes for last month reference (2) should be to Lehmkuhl, p. 575, instead of to Feije. It is right to add that, although Lehmkuhl is very positive, some canonists hold that the clause, “*sublata occasione peccandi*” does affect validity.

important respect of having the aforesaid quality in common.

Here the more favourable sentence known by the name will alone be considered. And, to limit what is to be said within still narrower bounds, dispensations are the only Rescripts kept in view.

As is plain, the Holy See might be said to fulminate dispensations sent from Rome in *forma commissa*; and with less difficulty the term might be predicated of Bishops when they use the faculties of a general Indult by granting dispensations themselves, without employing delegates to act under particular commissions from them. But the word has its strictest meaning, when the ecclesiastical authority, whether Pope, Bishop, or Vicar General, to whom a supplication appeals, instead of granting the favour directly himself, delegates to a capable person the necessary powers for the case, and that person, in virtue of the mandate or commission received from his superior, *actually removes* the impediment by giving or *fulminating* the dispensation. Hence, for our purposes, *fulmination* is the act by which a delegate dispenses in compliance with a special mandate or commission received for a particular case from competent authority. And since, when dispensations are granted in *forma commissoria*, it is essential, not merely that they should be fulminated, but also that the process be conducted by the proper delegate, the question at once arises:—

WHO CAN FULMINATE A DISPENSATION?

The person to whom the commission was given alone can do so. This is the plain answer; but it is not always equally plain, at least at first sight, who that person may be. If given “sub nomine personae,” the individual bearing the name, and no other, can act, “quia hujus adhaeret ossibus cenceturque electa ejus industria¹.” And hence, to prevent the inconvenience that would follow from death or deprivation of office occurring before fulmination, it is usual to consign the trust rather “sub nomine dignitatis vel officii.” This practice, however, creates a difficulty. For the “officia” are many, and in regard to each a question may arise as to the amount of actual connection with it, that is required by the superior power.

§ When the Bishop² (Episcopus) of a diocese is appointed

¹ Schmalzgrueber, T. iv., par. iii., Tit. xvi., § vii., n. 219, &c.

² Idem ibidem, &c.; Denis, p. 526; Craisson, Manuale Juris Canonici, v. i., p. 244.

to act as "commissarius" in executing a Papal dispensation, neither the Vicar General nor Vicar Capitular (*sede vacante*) can supply for him, unless in the supposition of sub-delegation being clearly allowed. Accordingly, should death or any other cause permanently prevent the Bishop from acting, the parties interested must wait until his successor has shown the Bull (or Brief) of his appointment to the Vicar Capitular, or else make application for a "*mutatio judicis*." A more convenient resource, however, is often available. For Vicars Capitular, in many instances, obtain authority to execute such dispensations as had been sent to the late Bishop or his Vicar General, and were not fulminated before the death of the one and the consequent cessation from office of the other.

"*Sede vacante*¹," commissions to dispense were formerly intrusted to the Bishop of the neighbouring diocese or his Vicar General, rather than to the Vicar Capitular, whose services, as a rule, were not called into requisition, unless when he was the person who had forwarded the application to Rome. If the latter, as now occurs, be employed as delegate "*ad dispensationem exequendam*," he and his successor in the same office alone can discharge the duty. Accordingly, should it remain over undone until after a Bishop has been appointed and named his Vicar General, the late Vicar Capitular can no longer carry out the "*mandatum dispensandi*," even though in the new state of things he happened to be one of the dignitaries just mentioned.

When the delegation is to the Ordinary² (*Ordinarius*) all known in Canon Law by that name are competent to act. Hence the Bishop, any one of his Vicars General, (*sede vacante*) the Vicar Capitular, and before his appointment, the Chapter, are each qualified to give the mandate due effect.

Should the Vicar General³ (*Vicarius Generalis*, *Vicarius Episcopi*, *Officialis*) be selected, only he and his successors can fulminate the dispensation. Accordingly, neither the Bishop nor the Vicar Capitular is in a position to do so. And this is true even though on the Bishop's demise he who had been Vicar General should be appointed Vicar Capitular. For as Vicar General his authority passed away when the Bishop, whose Vicar he had been, ceased permanently to hold jurisdiction in the diocese. At the same

¹ Feije, p. 718, n. 732, d.; Planchard, p. 63; Carriere, v. 2, p. 388.

² Zitelli, p. 94; Dens, p. 526.

³ Feije, p. 716; Caillaud, T. 2, ii., 295, 306.

time, if before his Bishop's death he had begun to discharge the commission sent to him from Rome, for instance by verifying the petition, so that "*res non erat integra*," it is certain he could still bring the whole matter to completion.

So, too, his acts are valid if performed before the revocation of his authority or the death of the Bishop has come to be publicly known; and this holds according to most canonists, even though he himself may have private knowledge of the occurrence.¹

Where there are more Vicars General in a diocese than one, he to whom Apostolic Letters are first presented should fulminate them, if the powers of all are equal "*in matrimonialibus*." But should one have special charge of this department, he is expected to act to the exclusion of the others. Notwithstanding the well-known legal maxim, that the powers of a Vicar must be *vere generales*, if he is to be a Vicar General or Ordinary, properly so called, having *ordinary* jurisdiction from Canon Law, instead of *delegated* faculties from his Bishop, it was decided by the S. Penitentiary in 1852 that Papal dispensations consigned to the "*Oratorum Ordinario*" can be fulminated:—

"Tum ab Episcopo, tum a vicario generali, tum etiam ab officiali, quatenus idem officialis sit vicarius generalis in matrimonialibus."

In some countries, such as France, the *Official* is a different person from the *Vicar General*. For whilst *voluntary jurisdiction* is assigned to the latter, the former has charge of *matrimonial cases* and *contentious jurisdiction* in general. With us no such distinction exists, and so far we are in harmony with the general law of the Church, which applies both terms indiscriminately to the same person. "In the United States the term *officialis* is almost unknown, and that of Vicar General is the only one used."²

It sometimes, though rarely, happens that dispensations *pro foro externo* are sent from Propaganda to the parish priest of petitioner or petitioners for fulmination. In that event, should the parties belong to different parishes the *parochus sponsi* should not undertake the execution of Apostolic Letters consigned to the *parochus sponsae*. If the impediment affected the *sponsus*³ alone, and the dispen-

¹ Cf. Feije, p. 717, n. 732, c.; Grandclaude, Jus Canonicum, v. i., p. 320.

² Cf. Smith, Elements of Canon Law, v. i., p. 344, note.

³ Cf. Feije, p. 637.

sation were accordingly sent to his *parochus*, none but the latter could give it valid effect. In every case the distinction between commissions *sub nomine proprio* and *sub nomine officii* deserves careful attention.

So far there has been question almost exclusively of the *forum externum*. According to modern usage the delegate for *forum internum*, by the words "Discreto viro confessori ex approbatis ab Ordinario," or "Discreto viro confessori N," or, "Tibi confessori ab oratoribus electo," which are found on the outer face of commissions, must be approved for hearing confessions at the time and in the place of fulmination.¹ If approved only for men, obviously he is not competent to execute dispensations intended for women. The older form, "Discreto viro confessori magistro in theologia vel Decretorum doctori ex approbatis ab Ordinario per latorem praesentium ad infrascripta specialiter eligendo," is now used for only a few parts of the Church. Such inscription when it occurs limits the commission to those who have secured the degree, "in aliqua publica academia presso proprioque sensu intellecta,"² or to members of Religious Orders, approved as above mentioned, and specially deputed by their Superiors to exercise this privilege. The first form is that generally used in inscribing Apostolic Letters *pro foro interno*. The second or third is employed when Propaganda or the S. Penitentiary is requested to depute a specially-named confessor.

In this case, it is always well to ask likewise for liberty to apply to any other approved priest for the purpose, lest the petitioners should come to desire a change. Such permission is implied in the first and ordinary form, whether the words, "per latores eligendo" occur or not.

A priest, who sees that he has not the qualifications required on the exterior of the document should not open it. But mere opening of the Rescript by one who cannot or will not give it effect, does not prevent valid fulmination by another competent and willing to act. Nay, even a confessor who has pronounced the document to be obreptitious or subreptitious, or for any such reasons refused to communicate the favour, and afterwards finds he

¹ Zitelli, p. 85, &c.; Dens, p. 532; De Burgt, p. 72, &c.

² Zitelli, *ibid.*

has erred, can retract his decision and grant the dispensation.¹

In foro externo,² on the contrary, if the delegate observing the form of his mandate, pronounces that the dispensation is not to be given, "quia literas reputat subreptitias vel obreptitias vel sibi non commissas," he neither can recall his decision nor proceed to fulmination. When, however, he has failed to observe the proper form, according to most canonists, it is still competent for him, or his successor to discharge the commission. This distinction applies also to invalid fulmination itself. If invalidity be due to the fact that the delegate did not observe the form of his mandate, he can take up the matter anew. But, the form once observed, the decree, as far as he is concerned, though *ipso jure* null, is irremediable *quoad substantiam*, and practically all the Ordinary can do is set forth in the following words of Sanchez,³ whom Feije⁴ quotes in this connection:—

"At cum sententia illa, utpote fovens peccatum matrimonii male contracti, aut male contrahendi, non transierit in rem judicatam, poterit in quantum Ordinarius causam iterum assumere, et impedire matrimonium ineundum, vel jam initum dissolvere: non cognoscens, nec judicans de prioris sententiae viribus, quam ut delegatus pronunciavit: id enim solius est Pontificis delegantis; sed habebit se, ac si nulla esset sententia, et cognoscat de matrimonio contracto. validum sit, necne; vel an possit contrahi, quemadmodum potest cognoscere de quovis alio matrimonio male inito."

In reference to sub-delegation,⁵ the *Commissarius* need have no difficulty about consigning to another person of trust the duty of verifying the petition. But in the absence of special leave, this is the only portion of his office that can be discharged otherwise than by himself immediately. Anyone acting under sub-delegation should be careful not to exceed the limits within which his services are confined.

The S. Penitentiary retains its dispensing powers *pro foro interno* during vacancies in the Papacy, and hence there can be no objection to fulminating its letters on such occasions. But as the A. Datary does not enjoy this privilege, there used to be some controversy as to whether

¹ Cf. Feije, p. 721, Sanchez, L. viii., Disp. 27, n. 4, &c.; De Angelis, *Praelectiones juris canonici*, L. i., Tit. xxix., p. 141.

² Feije, *ibid.*

³ L. 8, disp. 27, n. 39.

⁴ P. 722.

⁵ Cf. Van de Burgt, p. 70.

Rescripts *pro foro externo*, granted and not fulminated before the Pope's death, could be "executed" during the interval.

It was, however, decided many years ago, as Feije and others testify, that all Letters of Dispensation, whether coming from the A. Datary or S. Penitentiary, can be fulminated, irrespectively of the Pontiff's demise, provided in every case that they granted in full official form before the occurrence of that event.¹ This holds though the *res* be still *integra*.

But whether dispensations, given by Bishops in *forma commissoria* in virtue of an Apostolic Indult, can be executed, after the period of their faculties has ceased or death has occurred, remains a matter for inquiry.² Although there is still some weight of opinion on the opposite side, it would certainly seem reasonable to infer that the rule for Papal dispensations might be followed in the case of episcopal commissions also. Of course "*si res non sit integra*," there is no difficulty about finishing the work. But even "*re adhuc integra*" and notwithstanding the renewal of the Indult in favour of the Bishop or Vicar Capitular, or its continuance by a special provision in the hands of the person who had been Vicar General, it might press hard on the petitioners to be compelled to wait or even to renew their application. Besides the reason for what authors hold in regard to Papal dispensations has its full force where Bishops die before fulmination. In both events the delegate is an "*executor necessarius*," and therefore, in both events also the *gratia* is a *gratia facta*, and should have corresponding rights.³

We must, however, say that for the present the safer opinion should be followed *if the period of an Indult has expired*, except in some case of great urgency.

After these remarks on fulmination we are free to continue the "*executio dispensationis*," at the point where we left off last month. Our next question then shall be: How is a dispensation fulminated?

PATRICK O'DONNELL.

¹ Feije, p. 719.

² Cf. Feije, p. 545, Caillaud, T. 2, n. 320.

³ Cf. Craisson, vol. i., pp. 43-4, nn. 71-3. Reiffenstuel, L. i., T. 3, § 10, nn. 253-258. Praelectiones, S. Sulpt. v. i., n. 305. De Angelis, L. i., T. 3, p. 73, Zitelli, p. 98, &c.

LITURGY.

VOTIVE MASSES.

VI.—*The Votive Masses at the end of the Missal after the twelve first.*

These Masses, 13 in number, may be found without any difficulty at the end of the Missal. None of them require any special explanation except the *Missa pro sponso et sponsa*.

We purpose in this paper to touch upon all the questions that occur to us regarding this Mass.

The Nuptial Benediction consists of the special prayers given in this Mass *pro Sponso et Sponsa* after the *Pater noster* and the *Benedicamus Domino*, or *Ite Missa est*. It is necessary to bear this in mind. The Marriage Contract itself is not the Nuptial Benediction; nor are the verses *Confirma hoc, &c.*, which are always said after the blessing and putting on of the ring; but those prayers and those only which the Missal prescribes in the Mass *pro Sponso et Sponsa*.

(1) Is there an obligation to say Mass when a Marriage has been celebrated?

The words of the Rubric are: “*Sponsi veniant ad Ecclesiam benedictionem accepturi.*”¹ De Herdt quoting Barrufaldus and Cavalieri, says, there is an obligation *sub veniali*. But the contrary is implied in a decree of the Congregation of the Inquisition (Aug. 31, 1831, which see in RECORD. vol. iii., p. 506): “*Emi ac Rmi. DD. decreverunt . . . hortandos esse eosdem conjuges Catholicos, qui benedictionem sui Matrimonii non obtinuerunt, ut eam primo quoque tempore petant.*” When the Congregation, well aware of the doubt that existed with regard to this matter, uses the technical verb *hortari*, it plainly wishes to declare that, though it is of the greatest importance that the Benediction should be received, there yet is no sin in omitting to receive it.

But if the Nuptial Benediction is to be given, it must be given *intra Missam*.

The Rubric of the Ritual is clear on this point:—“*His expletis, si benedicendae sint nuptiae Parochus Missam*

¹ Cap. 1., n. 16.

pro Sponso et Sponsa, ut in Missali Romano, celebret, servatis omnibus quae ibi praescribuntur.”¹ The Rubric of the Missal is equally clear:—“Si benedictio nuptiarum facienda sit die Dominica . . . dicatur Missa de Dominica,” &c.

O’Kane quotes Cavalieri for the opinion that the Nuptial Benediction may by the authority of the Bishop be separated from Mass. He adds that a custom for this effect prevails in some countries, *e.g.* in England. He also cites the decree of the Sacred Congregation of Rites (1st Sept., 1838.) It is true that this decree allows the Nuptial Benediction to be given out of Mass: but it was afterwards revoked by several decrees (*e.g.* 23rd June, 1853),² and the Nuptial Benediction was ordered to be given in Mass according to the Rubrics.

The decree of the Congregation of the Inquisition, already quoted, leaves no room for doubt. “*Infra tamen Missae celebrationem.*”

In no case would the Priest who says the Mass, be obliged to offer his *intention* for the bride and bridegroom, unless he has received an *honorarium*.

There are cases in which the Rubrics themselves forbid the Nuptial Benediction to be given, and therefore the Mass to be said. These are:—1°. If it be the second marriage of the bridegroom, though only the first of the bride. The Rubric, however, allows the Benediction to be given in this case, if there be a custom for doing so.³ 2°. A widow, who at her previous marriage received the Benediction, is not to receive it again, though the bridegroom has not been previously married; “*Sed viduae nuptias non benedicat, etiamsi ejus vir nunquam uxorem duxerit.*”⁴

We have said: “A widow, *who at her previous marriage received the Benediction* ;” because the sentence which we have quoted is to be interpreted by a preceding sentence in the same Rubric: “*Caveat etiam Parochus ne, quando conjuges in primis nuptiis benedictionem acceperint, eos in secundis benedicat.*” It is plain that it is not the

¹ Cap. 11, n. 4.

² “In ea (Missa Votiva pro Sponso et Sponsa) assignata Benedictio juxta Rubricas non est impertienda nisi in Missa.”

“Quando impertienda est Benedictio omnino servetur Rubrica Missalis.”

³ Cap. 1, n. 15.

⁴ Ibid.

blessing of the second marriage that is forbidden, but the repetition of the Nuptial Benediction. Hence, though the bride be a widow, Mass may and should be said, and the Nuptial Benediction given, if Mass, with Nuptial Benediction, had not been said for the previous marriage.¹

It may be gathered from what has been said, that the Mass in which the Nuptial Benediction is given, can be said only once for the same marriage, because the Benediction cannot be repeated, and the Mass cannot be said at all, except for the purpose of giving the Nuptial Benediction.

But granted that there is an obligation to say Mass, is it necessary that the Mass should be this special Mass *pro sponso et sponsa*?

Yes, on days on which this Mass is allowed: "Si benedictio nuptiarum facienda sit . . . dicatur sequens Missa Votiva:"² "Si benedicendae sint nuptiae, Parochus Missam pro sponso et sponsa, ut in Missali Romano, celebret."³

Seeing that the Benediction may be given, and on days on which the Mass *pro sponso et sponsa* is not allowed, must be given in another Mass, this obligation is held to bind at most *sub veniali*.

(2.) May the Nuptial Mass be said out of the Church?

According to the common law, no Mass can be said out of the church, and even bishops have not power to grant permission for it. In Ireland the bishops have the privilege of granting permission: "Missae non celebrentur . . . in aedibus privatis, nisi de speciali et expressa Episcopi licentia."⁴

To justify the celebration of Mass out of a church, there must be a grave reason. According to the Rubrics, the celebration of the marriage itself out of the church, is not a sufficiently grave reason for the celebration of Mass out of the church: "Sed si domi celebratum fuerit . . . sponsi veniant ad *Ecclesiam* benedictionem accepturi."⁵ "Ante benedictionem sacerdotalem in *templo* suscipiendam."⁶

Hence there must be some grave reason beyond the fact that, for some cause or other, it is necessary to cele-

¹ The decree of the Congregation of the Inquisition already quoted.

² Miss. Rom.

³ Rit. Rom.

⁴ Maynooth Synod, p. 80.

⁵ Rit. Rom., cap. 1, n. 16.

⁶ Ibid. n. 17.

brate the marriage itself out of the church. It will be the duty of the bishop to decide as to the sufficiency of the reason.

(3.) Who has the right to say this Mass?

Only the Parish Priest, or another priest by his leave, or by the leave of the Ordinary: "*Quae Benedictio a nullo quam ab ipso parochi seu ab alio sacerdote de ipsius parochi vel Ordinarii licentia fieri debet.*"¹

It is not necessary that the same priest should assist at the marriage and say the Mass.

(4.) On what days is it allowed?

The Votive Mass *pro sponso et sponsa* may be said on all days except Sundays, Holidays of Obligation, Doubles of the 1st and 2nd Class. The Rubrics of the Missal goes thus far. The Sacred Congregation of Rites adds, as times during which this Votive Mass cannot be said, the whole Octave of the Epiphany, the Vigil and Octave of Pentecost. Rubricists, relying on the authority of Gardellini,² exempt, moreover, the Octave day of Corpus Christi and other days that exclude Doubles of the 2nd Class; but we can discover no day under this head to be added to those already specified.

There is some doubt as to whether the Votive Mass *pro sponso et sponsa* may be said on the Rogation days and on the 2nd of November. Rubricists seem inclined to decide that it is not allowed on these days, and that a decree³ on which some authors of the opposite opinion rely for the 2nd of November is not authentic, as it is not found in Gardellini.

On the days on which the Votive Mass is not allowed, the Mass of the day is to be said with a commemoration of the Mass *pro sponso et sponsa*.

As the Nuptial Benediction is not allowed during the *tempus clausum*, so neither is the Mass *pro sponso et sponsa*. Even a commemoration of it is not to be made in the Mass of the day.

When the *tempus clausum* has expired, Mass for the Nuptial Benediction of a marriage celebrated within the *tempus clausum* may be said.⁴ Our "*Ordo*" states that "*elapso tempore vetito non resumit (Parochus) benedictionem sive in Missa sive extra Missam;*" and a decree of

¹ Rit. Rom., cap. 1, n. 14.

² In dec. S.R.C. 20 Ap. 1822, n. 4437-4587.

³ 7th Sept., 1850

⁴ De Herdt.

the S. R. C., 31st Aug., 1839, is quoted. But we find no mention of "in Missa" in this decree.¹

(5.) The Manner of celebrating.

Two seats or prie-dieus are prepared for the bride and bridegroom, near and in front of the altar, but not within the sanctuary. If the Marriage ceremony has been already performed, the priest will vest for mass. If the ceremony is to be performed immediately before Mass, though the Rubric of the Ritual says, that he should be "*superpelliceo et alba stola indutus*," it is commonly admitted that he may vest in amict, alb, cincture, and stole, the chasuble and maniple being placed at the Gospel corner of the altar.

He leaves the sacristy preceded by at least one clerk in surplice bearing the holy water vase and Ritual. He then goes through the *Ritus* as given in the Ritual, after which he ascends the altar, puts on the maniple and chasuble, and proceeds to say Mass.

If the Votive Mass be said, the colour will be white. Whether sung or not, it will be always said without the *Gloria* and *Credo*, not being regarded as *pro re gravi, pro publica ecclesiae causa*. There will be at least three prayers:—1st, The proper prayer of the Votive Mass; 2nd, The Prayer of the Office of the Day; 3rd, The special commemorations, if any; if none, the 3rd prayer will be that *commemoratio communis* which would be the 2nd in the mass of a semi-double of that period of the year. The *Benedicamus Domino* and Gospel of St. John will be said at the end.

If the Votive Mass be not said, then the Mass of the day will be said as usual, with a commemoration of the Mass *pro sponso et sponsa*. The place of this commemoration is after the prayers prescribed by the Rubrics, but before the *orationes imperatae*. It is always said under a distinct conclusion, even on Feasts of the first class. The Missal makes no exception as to the days on which the commemoration is to be made; but Rubricists except the Vigil and Feast of Pentecost with the two following days, and the High Mass of Ascension Thursday and Corpus Christi.

Whether the Mass be Votive or not, the priest, after the *Pater noster*, and before wiping and taking the paten, genuflects and withdraws to the Epistle corner, where turned to those who are to receive the Nuptial Benediction, he says over them the two prayers given in the Missal.

¹ Ita pariter inhibetur commemoratio pro sponso et sponsa in Missa occurrente, neque orationes resumendae extra Missam tempore vetito jam elapso. See also the decree of Congregation of Inquisition already quoted.

These, as well as the prayer at the end of Mass, he says with hands joined. The priest then returns to the middle of the altar and genuflects. The Mass is continued as usual as far as the *Benedicamus Domino* or *Ite Missa est* inclusive. Just before the *Placeat* the priest again turns as above and says, without the *Oremus*, the prayer "Deus Abraham, &c." He next gives the admonition prescribed by the Rubrics of the Missal, and without moving from the Epistle corner, sprinkles those for whom the Mass has been said with holy water. The remainder of the Mass is said as usual.

If the Mass should be said for the Nuptial Blessing of the marriages of several couples, the prayers are still said in the singular number, but the priest ought to have the intention of imparting the blessing to each couple.

P. O'LEARY.

(*To be continued.*)

CORRESPONDENCE.

CAN a Priest lawfully offer the Holy Sacrifice of the Mass privately for a deceased Protestant, just as he would for the soul of a deceased Catholic? And can he receive an honorarium for the Mass said for such deceased Protestant?

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

VERY REV. SIR,—Father Livius answers both the above questions, with great confidence, in the affirmative, in the March number of the RECORD, and I suppose that many priests, after studying his exhaustive, and carefully, and accurately written paper on the subject, would not hesitate to carry out his opinion in practice. For my own part, however, I confess that I have always held, somewhat reluctantly, the contrary opinion, and nothing Father Livius has said would satisfy my conscience that I could safely abandon it, and adopt his, though I cannot deny that Father Lehmkuhl's authority has given a shake to my former convictions. If you will kindly allow me to state briefly what can be said on the other side, further light may thus be thrown on these questions from various quarters; and you will also in this way afford Father Livius an opportunity of completing his essay by answering, in some future number of the RECORD, what may be called the "difficulties" or "objections" to his thesis.

I. It is, then, affirmed by Catholic writers, that the Canon of the Third Council of Lateran has never been repealed, and that, by this canon, it is forbidden to say mass for *deceased* heretics. Here is the canon in question—

“Si autem in hoc peccato [hæresi] decesserint, non sub nostrorum privilegiorum cuilibet indultorum obtenta, nec sub aliacumque occasione, *aut oblatio fiat pro eis*, aut inter Christianos recipiant sepulturam.”¹

Now it cannot be said that the chapter “*Ad evitanda scandala*” of the Council of Constance, to which Father Livius refers at p. 147 and elsewhere, has removed this prohibition of the Church to say Mass, or receive *honoraria*, for *deceased* heretics. This chapter has reference *solely* to the excommunicate who are *living*. What seems quite decisive on this point is, that Martin V., who is the author of the chapter “*Ad evitanda scandala*,” is also the author of the Bull “*Inter Cuncta*,” from which I extract the following passage:—

“Et si tales hæretici publici ac manifesti, *licet nondum per ecclesiam declarati* [hence, *tolerati*], in hoc tam gravi crimine decesserint, *ecclesiasticâ careant sepulturâ*, nec *oblaciones fiant aut recipiantur pro eis*.”²

Ferraris discusses this question and quotes these authorities, and others, and comes unhesitatingly to the conclusion that it is forbidden by the Church to offer Mass, publicly or privately, as I interpret him, for a deceased heretic, formal or material. See his “*Prompta Bibliotheca Juridica*,” &c. V. Missa, art. vii., No. 7. Also *l.c.*

Again, Sporer, in the following passage, evidently supposes that it is not lawful to offer the Mass, publicly or privately, for a deceased Protestant. He begins by saying what may be done in the case of those who have committed suicide:

“Nihil enim obstat quin in tuo *memento mortuorum* ex privata devotione dicas: ‘Domine commendo tibi etiam animam illius qui se nuper suspendit, vel submersit, si forté ex inculcata amentia fecit, aut si ante mortem veré paenituit.’ Certé potes pro tali privatim recitare rosarium: quidni etiam meminisse in Sacro? Idem dicendum pro solatio eorum quorum parentes, consanguinei, &c., in hæresi Lutherana vel Calviniana decesserunt. Possunt enim et privatim pro iis orare, et *si sacerdotes sint in Sacro eorum meminisse* sub simili conditione, puta; si forte decesserunt in hæresi solùm materiali, et alioquin in statu gratiae fuerunt.”³

It is clear, I think, from this passage, that Sporer is of opinion that, even where there is reason to believe a Protestant has died in material heresy only, and in a state of grace, a priest cannot offer Mass for him in the sense defined by Father Livius (p. 144), nor can he receive an honorarium for his *memento*. Father Livius would himself declare, as indeed he has done (p. 145), that to do as much only as Sporer allows, “would not be to say Mass for him at all, according to the proper and received sense of the words; nor could a priest licitly accept an *honorarium* for Mass . . .

¹ Can 27. Labb. tom. x., col. 1522.

² Labb. tom. xiii., col. 262.

³ Th. Sacram. p. ii., cap. iv., sec. iv. p. No. 269.

in such a case." So much for the older Theologians and Councils in this case.

II. Among modern Divines I will cite a passage from Ernest Müller, Professor of Moral Theology in the University of Vienna. Mention is made of this writer by Lehmkuhl in the "Catalogus Scriptorum, &c.," appended to the 2nd vol. of his Moral Theology (p. 796), in these words, "Müller Ern. Canon Vindob. cujus theologia moralis (3 tom.) Vindob. 1865, et deinceps pluries edita, et doctrinae soliditatem, et ordinis nitorem, et pietatis affectus præ se fert."

Now Müller writes thus on the questions I am considering :—
 "Pro acatholicis *defunctis* Missæ sacrificium *in nullo casu* applicari potest nomine ecclesiae, (1) quia quibus non communicavimus vivis, non communicamus defunctis, ait Innocentius iii. c. 12, x. Lib. iii. Tit. 28; et (2) quia Missæ celebratio pro *acatholicis defunctis* non potest componi cum dogmate Catholica de necessitate fidei Catholicae ad obtinendam salutem, quod urgebat Gregorius XVI., die 19 Julii 1842 in Brevi ad Episc. Augustæ Vindelic., et in Brevi ad Abbatem Benedictin. in Monasterio Scheyern. Ideoque Apostolica sedes pluries præscripsit, ut si Missæ fundentur pro familiâ, ad quem præter Catholicos etiam acatholici pertinent, fundatio fieri debeat cum restrictione, quod Missæ non nisi pro Catholicis membris familiae fundentur. Eo minus pro Judæis et ethnicis defunctis Missam celebrare fas est. Au pro catechumenis defunctis? Alii affirmant, alii negant: sententia affirmans videtur probabilior.¹

He then goes on to state what may be done in such cases, and his view appears to be simply that of Sporer.

"Videtur autem quod sacerdos pro aliquo haeretico defuncto *privatim et sub conditione*: si forte decesserit in haeresi solum materiali, adeoque cum signo fidei, et simul fuerit in statu gratiæ, possit sub *memento defunctorum* orare, secluso omni scandalo: (a) quia per hanc privatam orationem tam minus obtinet communicatio cum haeretico in sacris, quam per orationem privatam in Missa pro excommunicato fidei *vitando*, quam licitam esse constat: (b) quia per conditionem adjunctam dogma de necessitate fidei Catholicae ad salutem integrum servatur.² And now as to the *honorarium*, which removes all obscurity, if there be any, concerning his opinion:—

"Stipendium Missæ pro tali oratione privata accipere *non licet*, quia stipendium datur *pro applicatione fructus specialis*, quæ *in tali casu non fit*, et *debet hic fructus pro alio applicari*."³

It seems, then, to be beyond all doubt that this modern (I believe, living) Theologian would, with Ferraris and Sporer, answer both the questions at the head of this Paper in the negative, and that they all hold, therefore, quite a contrary

¹ Th. Mor. Lib. iii., T. i. p. 18, Edit. Vindob, 1879, p. 45.

² Ibid.

³ Ibid.

opinion to that put forward by Fr. Livius, and advanced also, quite recently, by so eminent a writer as Fr. Lehmkuhl.

This latter author, indeed, tempers his opinion with the well-known theological "*videtur*," shewing that he is treading on uncertain ground. However, I think it must be admitted that Fr. Lehmkuhl is certainly, so far, on Fr. Livius' side. He refers (Tr. iv., De Euch., sec. ii., cap. 1, col. iii., No. 176) to the Briefs of Gregory XVI. on which Müller relies, but he restricts them to a "*celebratio seu applicatio publica*."

Lehmkuhl clearly defines what he means by the words "*celebrare vel applicare Missam pro aliquo*" as follows:—"Intelligitur de iis fructibus directe applicandis, qui applicationi sacerdotis subsunt, quatenus personam alienam in publico munere agit—i.e. quatenus nomine ecclesiae et Christi agit, et fructus ex parte Christi et ecclesiae dispensat." (Ibid. No 175).

A little lower down he gives the opinion with which I am now concerned in the following words:—

"Relate ad omnes qui absque unione cum ecclesiae externa defuncti sunt . . . si probabilia signa sunt defunctum bonâ fide atque in gratiâ divinâ ex hac vitâ migrasse, occulté seu privatim pro tali defuncto *celebrare* [of course in the sense just defined] posse [sacerdotem] *videtur*." (Ibid. No. 176). It would clearly follow, if this opinion can be adopted, that, as Fr. Livius maintains, an *honorarium* may be taken in the case. In connection with this question of the "*bona fides*" of Protestants it may be interesting to your readers if I mention here that two great luminaries of Maynooth College have left it on record that, in their opinion, very few indeed amongst Protestants, under circumstances described by them, can be looked upon as formal heretics. The late Dr. Murray says (Maynooth Com., s. ii., page 365)—"For my own part I am, after long and thoughtful consideration of the question, decidedly of opinion that, at least in those countries where Protestantism is the prevailing religion, or where it has been for several generations established among a distinct religious party, *the great mass of Protestants are free from the sin of heresy* [hence from its punishment—excommunication], and *even in a state of invincible ignorance*."—These are surely remarkable words coming from such a man.

Dr. Crolly (*ibid.*, p. 391) says: "When Catholic writers speak of an individual who has been baptized and educated outside of the communion of the Roman Catholic Church as a heretic, they do not mean to say he is a real formal heretic—this is often a secret known to God alone—but simply that he belongs to a society which is separated from the Church, and which professes a doctrine which she has pronounced to be false and heretical. Such a person, according to De Lugo, might possess the virtue of divine faith and be a Catholic, though he *rejected the authority of the Roman Catholic Church*, through *culpable or inculpable ignorance*."

In support of his opinion Dr. Crolly cites the words of a theo-

logian named *Rey*, of whom few persons have ever heard, but whom I myself personally knew. He was a Spanish theologian of repute, whom Dr. Baines, the Vicar Apostolic of the Western District in England, brought over to profess theology at his diocesan seminary near Bath, about fifty years ago. These are *Rey's* words, as cited by Dr. Crolly: "In communionibus a Catholicâ distinctis paucos esse formales hæreticos—paucos inter sectas a nobis divisos esse excommunicationi obnoxios."

If Father Livius' opinion and that of Father Lehmkuhl can be adopted, the above passages are worth remembering.

But to return to Müller. In a footnote he refers to Sporer, and says, "Theologi antiquiores hujus quaestionis vix mentionem injiciunt," and he then proceeds to give the following modern writers whose opinions are identical with his own. To none of these can I, living as I do in a small country parish, far away from libraries, refer at the present moment. They may, however, be within reach of Father Livius, and others amongst your readers, so I will give them here, and with this citation bring this paper to an end.

Tapfer: *Expositio incruenti missae sacrificii*, p. 166. Ed. 2.

Gassner: *Handbuch der Pastoral*. 1 B., 739.

Ephem. relig.: *Pastoralblatt für die Diöcese. Augsburg*, 1867, p. 64-69.

Kölner Pastoralblatt 1874, n. ii.

I am, Rev Sir, your obedient servant,

J. S. FLANAGAN, P.P.

Adare, April 10th, 1885.

"O clemens, O pia, O dulcis Virgo Maria!"

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

REV. DEAR SIR,—The translation into English of the above line from the *Salve Regina* is a matter in which we are all interested. With your permission, therefore, I will venture to make a few remarks upon it. Your correspondent, who introduced the subject last month, in a very interesting letter, expresses the opinion that "*sweet*, as a rendering of *dulcis* used figuratively, is scarcely in accordance with the genius of the English language." This is an opinion which, I think, can hardly be defended. Let me give a few examples from Shakespeare.

In the play of *King Richard the Third*, Richard thus uses the word, in addressing Lady Anne:—

"Sweet saint, for charity, be not so curst."

Act I., sc. ii.

Again, Benedick, in *Much Ado about Nothing*, when seeking a favour from the gentlewoman, Margaret, says:—

"Pray thee, sweet mistress, Margaret."

Act V., sc. ii.

In the *Merchant of Venice*, Nerissa, the waiting-maid, addresses Portia as "*Sweet madam*" (*Act I., sc. ii.*); and in *The Tempest*, Ferdinand says of Miranda—

"My *sweet mistress*
Weeps when she sees me work."

Act III., sc. i.

Still more to the purpose are the words of Alençon to Joan of Arc, in the First Part of *King Henry the Sixth*:—

"We'll set thy statue in some holy place,
And have thee revered like a blessed saint;
Employ thee, then, *sweet virgin*, for our sake."

Act III., sc. iii.

Nor can it be said that this use of the word *sweet* has become obsolete in the English language. We read in Tennyson's *Princess*:—

"I take her for the flower of womankind,
And so I often told her, right or wrong,
And, Prince, she can be *sweet* to those she loves."

And every one can recall the well-known lines from the *Idylls of the King*:—

"Have we not heard the bridegroom is so *sweet*?
O let us in, though late, to kiss his feet!
No, no, too late! ye cannot enter now."

As regards ecclesiastical usage, I may quote the authority of the Douay version of the Bible: "The Lord is *sweet* and righteous." (*Ps. xxiv. 8.*) "In thy *sweetness*, O God, thou hast provided for the poor." (*Ps. lxvii. 11.*) "A *sweet* word multiplieth friends." (*Eccli. vi. 5.*) "He that is *sweet* in words shall attain to greater things." (*Prov. xvi. 21.*) In the New Testament, the Vulgate text, "Si tamen gustastis quoniam *dulcis* est Dominus" (1 *Pet. ii. 3*), is rendered, "If so be, you have tasted that the Lord is *sweet*."

With these examples before us, I would submit that the word *sweet* is a perfectly suitable translation of the Latin *dulcis*, in the *Salve Regina*: nay, I should be inclined to hold that no other English word can be found which would so faithfully represent the meaning and spirit of the original.

As regards the epithet *pia*, I quite agree with your correspondent that the word *pious* is not a satisfactory translation. But I cannot concur with him in adopting the word *loving*, which he suggests as a substitute. The central idea of the Latin word is, I think, *devotedness*. This devotedness may be shown in the discharge of the duties we owe to God, to our parents or other relations, and to our dependents. It may also be shown in the fulfilment of kindly offices, not strictly duties, towards those who, in any way, may stand in need of our help.

This last sense of the word is very common in ecclesiastical

Latin. At the close of the *Dies Irae* we have, “*Pie Jesu Domine, dona eis requiem.*” And in St. Bernard’s hymn, read on the Feast of the Holy Name :—

“Jesu Spes penitentibus,
Quam *pius* es petentibus!
Quam bonus te quaerentibus!
Sed quid invementibus!”

Then we have the story, in the breviary, of St. Paul, the First Hermit, who was fed by a raven in the desert: and when St. Anthony came to pay him a visit, the raven brought him, for that occasion, a double complement of bread. After the departure of the raven, the narrative proceeds: “*Eia,*” inquit Paulus, “*Dominus nobis prandium misit, vere pius, vere misericors. Sexaginta jam anni sunt, cum accipio quotidie dimidii panis fragmentum, nunc ad adventum tuum militibus suis Christus duplicavit annonam.*”

It seems pretty clear that this is the sense in which the word *pia* is addressed to the Blessed Virgin in the *Salve Regina*. There is no English word which conveys exactly the same meaning. I should be disposed to render it *gracious*, when applied to our Lord, and *tender*, when applied to the Blessed Virgin.

Your correspondent proposes to substitute *gentle*, for *clement*, as a rendering of the Latin *clemens*. If there were question of making a new translation, I should not object to *gentle*, though I should prefer *gracious* or *merciful*. But I do not think there is sufficient reason, in this case, for departing from the translation already in established use among the people.

The word *clemens*, in classical Latin, would seem, very commonly, to suggest simply the idea of *gentleness* and *urbanity*. Cicero, for example, says, “*Etsi satis clemens sum in disputando, tamen interdum soleo subirasci*” (*Fin.* 2, 4, 12); and elsewhere, he defines *clementia* to be that quality, “*per quam animi temere in odium alicujus concitati invectio comitate retinetur.*” (*Inv.* 2, 54, 164.) Seneca, who wrote a book *De Clementia*, gives us the same idea: “*Clementem vocabo . . . eum qui, quum suis stimulis exagitetur, non prosilit,*” &c. (*Clem.* 1, 20, 3.) In this sense the word *clemens* is frequently associated, by classical writers, with *mitis*, *lenis*, *placidus*, *benignus*.

But *clementia*, in classical Latin, is not unfrequently used to signify something more than urbanity. It is applied to those who are constituted in some sort of authority, and conveys the idea of indulgence, forbearance, mercy. Juvenal, after saying that he will be revenged on the poets who have wearied him with their verses, concludes—

“*Stulta est clementia, cum tot ubique
Vatibus occurras, periturae parcere chartae.*”

Sat. I., 17, 18.

Again, we read in Cicero: “*Clementes judices et misericordes.*”

(*Planc.* 13, 31.) And Seneca, in the book already quoted, writes :
 “ *Clementia est temperantia animi in potestate ulciscendi, vel lenitas*
. . . in constituendis poenis.” (*Clem.* 2, 3.)

In this sense we find the word frequently employed in the Vulgate version of the Bible. Moses, for example, when the Lord appeared to him in a cloud, on the mountain, cried out : “ *Dominator Domine Deus, misericors, et clemens, patiens et multae miserationis ac verax.*” (*Ex.* xxxiv. 6.) Again, in the prayer of the Levites, recorded in the Second Book of Esdras, we read : “ *Tu autem Deus propitius, clemens et misericors, longanimis et multae miserationis non dereliquisti eos.*” (II. *Esd.* ix. 17.) And in the Third Book of Kings : “ *Audivimus quod reges domus Israel clementes sint; ponamus igitur saccos in lumbis nostris, et funiculos in capitibus nostris, et egrediamur ad regem Israel: forsitan salvabit animas nostras.*” (III. *Kings* xx. 31.) The Prophet Jonas, too, says : “ *Scio enim quia tu Deus clemens et misericors, patiens et multae miserationis, et ignoscens super malitia.*” (*Jon.* iv. 2.)

Now as regards the translation of this word into English. The usual practice in the Douay version is this : when *clemens*, in the original, is accompanied by *misericors*, it is translated *gracious*; when it is not so accompanied, it is translated *merciful*. A similar practice seems to have been followed by the authors of the Protestant English version, in translating from the Hebrew. Where we have *clemens et misericors* in the Vulgate, we generally find *gracious* and *merciful*, in the Protestant version; where we have *clemens* alone, we usually find *merciful*.

If, then, there were question of making a translation, for the first time, of the *Salve Regina*, I should be inclined to follow this usage, and to render *clemens* by *merciful* or *gracious*. But I do not think the English word *clement* so inadequate as to make a change necessary. When Tertullus, the orator, in the *Acts of the Apostles*, prayed for an indulgent hearing before the governor, Felix, his words are thus rendered in the Douay version : “ *I desire thee, of thy clemency, to hear us.*” (*Acts* xxiv. 4.) The Protestant authorized version uses the same phrase : “ *I pray thee, that thou wouldst hear us, of thy clemency.*”

We have also the authority of Shakespeare, for this use of the word. The players in *Hamlet* thus pray for the indulgent favour of the King and his Court :—

“ For us, and for our tragedy,
 Here stooping to your clemency
 We beg your hearing patiently.”

Act III., sc. ii.

And, in *Cymbeline*, Posthumus says, addressing the gods :—

“ I know you are more clement than vile men,
 Who of their broken debtors take a third,
 A sixth, a tenth, letting them thrive again
 On their abatement.”

Act V., sc. iv.

To sum up: I would retain the word *sweet*; as the best translation that can be found for the Latin *dulcis*; I would retain *clement*, as at least a suitable translation for *elemens*, and one, therefore, which there is no need to change; and I would substitute *tender* for *pious*. The line would then read:—

“O clement! O tender! O sweet Virgin Mary!”

Believe me, Rev. dear Sir, yours very faithfully,

GERALD MOLLOY.

NOTICES OF BOOKS.

Dissertationes Selectae in Historiam Ecclesiasticam. Auctore
BERNARDO JUNGSMANN; Tomus IV. Ratisbonae: Pustet, 1884.

The judicious selection of a number of important subjects, and the ability with which they are discussed, render the Fourth Volume of Jungmann's *Select Dissertations* a worthy companion of his preceding volumes, which have been already brought under notice in the pages of the RECORD.¹ The work before us comprises five Dissertations. The First of the Volume, and Eighteenth of the Series, treats of the Roman Pontiffs of the tenth century; the next discusses “certain Controversies of the eleventh century, and the relations of Otho I. and his immediate successors with the Holy See.” Then follow three dissertations: “On the State of the Church in the middle of the Eleventh Century”; “On S. Gregory VII., Roman Pontiff”; and “On the Continuation and Close of the Controversy regarding Investiture.”

It is no exaggeration to say that in the whole range of Church History, few subjects are to be met with possessing a deeper interest for those who study the records of the past, or which have given rise to keener polemical discussion, than the subject so fully and so carefully examined by Dr. Jungmann in his Eighteenth Dissertation. To present the matter in this light a few observations are required.

The interval between the close of the Fifth, and that of the Fifteenth century, may, in accordance with a very commonly received chronological division of History, be assumed as the duration of the “Middle Ages.” The opprobrious designation of “Dark Ages” was applied, if not to all, to many of the centuries falling between the limits of mediæval History. Dazzled by the lingering light of the Augustan Age, and by the lustre shed on ecclesiastical literature by the great Fathers of the early Church, critics, who declined the labour of deep research and looked back from an age in which a revival of letters had been established and a new era of progress inaugurated, judged too harshly and

¹ See IRISH ECCLESIASTICAL RECORD, October, 1880-'81, and February, 1883, for brief notes of Vols. I., II., and III., under these dates respectively.

condemned too hastily the social and literary condition of those centuries to which they have given the dishonouring name of "Dark Ages." At the present day they are very few, with any pretension to scholarship, who should not blush to be found sneering at the Middle Ages—few who would not be ashamed to say: "I know nothing of those ages which knew nothing." We are indebted to the learned and impartial researches of Maitland, Voigt, Hurter, Boehmer, Gallé, Grimm, Daniel, Müller, Montalembert, and many other authors with whom mediæval history has been a special study, for abundant evidence to prove that the disparaging statements of several popular writers regarding the learning, knowledge, and literature of the Middle Ages, even in the darkest days, are not only exaggerated but false.

Between the middle of the Fifth and the beginning of the Twelfth century, there were periods when the task of preserving society from ignorance and corruption was one of extreme difficulty. One of those periods dates almost from the death in 814 of Charlemagne, and runs far into the tenth century. The splendour of the reign of that great prince was transient, the improvements he effected were not maintained, the progress of science was interrupted, and insecurity and anarchy returned, because he had no successor who inherited those rare qualities which won for him a title that "has been indissolubly blended with his name"—the appellation of *Great*. Louis le Debonnaire was embroiled in civil war with his own sons, and these with each other. Whilst the mighty empire founded by Charlemagne was torn by intestine dissension, a new swarm of barbarians threatened the growing civilization of Christian Europe. Normans, Saracens, and Hungarians filled Western Europe during the greater part of the ninth and tenth centuries with terror, and left many a sad vestige of their sudden and ruinous incursions. On the death of Louis le Debonnaire in 840, the empire of Charlemagne was broken up into an Eastern or German, and a Western or Frankish, Kingdom. The Carlovingian dynasty, founded in 752, came to an end in the German Kingdom in 911; and in the Frankish Kingdom in 987.

It was in the midst of these convulsions that the tenth century was ushered in. The distracted condition of France and the feeble government of the degenerate Carlovingians rendered hopeless any chance of protection from that quarter in favour of the Popes. The disputed claims of candidates for the Imperial Crown of Germany caused the protectorate, exercised by Charlemagne and his successors, in upholding the rights and privileges of the Holy See, to pass into abeyance. Italy, abandoned by the Emperors, became the prey of petty princes, and Rome itself felt the shock. The counts of Tusculum and Margraves of Tuscany exercised a tyranny within the Papal Territory, and in the capital of the Christian world. The freedom of Papal election was for a time at an end. The Papacy was regarded by every

paltry faction in the enjoyment of a brief ascendancy as a mere political engine, and the interests of religion were unscrupulously sacrificed to the lowest intrigues of worldly ambition.

The Popes of the tenth century are described by a certain class of Protestant writers, including Mosheim and Milman, as ignorant and vicious, and disqualified for the duties of guardians of the interests of the Church. Their history is presented in still darker colours by a host of nameless scribes, who pander to the morbid tastes of anti-Catholic readers by detailing with a zest every scandal that calumny has invented or strangely exaggerated.

With a view to refute these unfounded statements or to expose their vagueness and inaccuracy, to set forth the history of the Popes of the tenth century in a true light, and to reverse the judgments that have been unfairly pronounced against them, Dr. Jungmann critically examines the evidence which is to decide the question, and avails himself of every help which modern research supplies in throwing light on the difficult points which arise in the investigation. The brief sketch which we have drawn of the political and social condition of the age to which his inquiry relates will enable us to estimate the importance and the difficulty of the task which he has undertaken. We believe that a careful perusal of what he has to say will have the effect of inducing every impartial reader to form a decidedly favourable opinion of the maligned Pontiffs of the tenth century, and to pronounce them, with a few exceptions, not unworthy of the elevated and responsible position in which they were placed. We do not hesitate to assert that, as the "Dark Ages" have become brighter by the light thrown upon them by the patience and skill of the writers already named, so the *Lives of the Popes of the tenth century*, a few excepted, will be rescued, by the diligence and learning of authors like Dr. Jungmann, from the misrepresentation with which they have been sullied, whether from ignorance or malice. Even in the exceptional instances referred to, the degree of weakness or guilt is shown to be less than what it has hitherto been commonly regarded.

We feel that we are going beyond the bounds of a brief literary notice, but before we close we may be permitted to add a word or two. The theological student will find the *Dissertations on Ordination and Marriage* equally instructive and interesting. Nor can we too strongly recommend the perusal of the powerful picture which Dr. Jungmann has drawn of the difficult problem to which the renowned Hildebrand had to address himself, and of the great and abiding success with which he solved it. No one who has had an opportunity of knowing what Dr. Jungmann has already done in advancing the study of theology and church history has failed to appreciate his vast services, or will be slow to unite in a sincere wish that he may long continue to enrich that department of ecclesiastical science to which he is now devoted, with contributions equal in merit and value to that which he has lately given us.—D. G.

THE IRISH ECCLESIASTICAL RECORD.

JUNE, 1885.

COMPULSORY EDUCATION.

WHEN introducing his Bill to improve National Education in Ireland, Mr. Campbell-Bannerman was very sparing of proof that could justify the application of the principle of compulsion to this country. His calculation as to attendance at school was made upon the same basis as that of the Census Commissioners which has been allowed to pass for months unchallenged, and which, as I shall show, is calculated to mislead the public. Before doing so, I would call attention to the comparative analysis of attendance as furnished by the Commissioners of National Education in Ireland in their last report.

“The percentage of average attendance of pupils for the year to the number on the rolls who attended on any of the last fourteen days of the month preceding the annual examinations was 70·2. In 1882, this percentage was 69·1. The percentages in 1883 were:—in England and Wales, 73·2; in Scotland, 76·1.”

England with its compulsory law is barely above Ireland; but in fact, when allowance is made for the want of schools, and for the quality of a large number already existing, as well as for the distance from the homes of the children, and other causes too obvious to mention, education is more availed of in Ireland than in England. Only 3 per cent. ! of a gain in school attendance in the richest nation in the world over the poorest, at a cost of millions of pounds to create and sustain the modern system; at the sacrifice of liberty and to the dishonour of the poor, and already midst cries of overpressure, underfeeding and cruelty. A stronger objection to the working of it could not be afforded than the admission that 27 per cent. of school-going age in England do not comply with the compulsory law of education.

Now, as to the Statistics compiled by the Census Commissioners who selected the week ended 14th May, 1881, and which give for all Ireland 46·5 attending school, and 53·5 not attending school (taking the school-going age from 5 to 15 years or perhaps up to 16, as the Commissioners, for aught I know, may have done), it is evident that a gross error underlies them. The English Commissioners may be right in assigning so long a period to primary education elsewhere, but certainly they are not warranted in its extension to Ireland. If they were dreaming of some Boeotia the mistake might be overlooked, but where the youth of the country are universally acknowledged as endowed with the highest mental qualities, so apt and so fond of learning, showing their superiority frequently in competition with their coevals in other countries, it is out of the question to confine them to school for the term of ten years in order to attain the highest standard in a national school. The teachers themselves admit that a child of ordinary capacity may finish the sixth book at twelve years of age. What is to become, then, of the three additional years at least required by the computation of the English Commissioners? In those parts of the country where business is brisk and the various branches of it afford plentiful employment to both boys and girls as soon as they enter upon their teens, they will, as a matter of course, be employed at some art or industry; and yet the Census Commissioners would enumerate them amongst those *not* attending school—although it be to their credit that they have passed the goal of their youthful course.

But the Commissioners do not take into their consideration whether the studies pursued in national schools be completed in seven years or in ten. Hence the illusiveness of their tables, which deceive many who take merely a superficial view of such matters, and who do not reflect that the facts belie the *figures*.

Take the case of three schools in three different localities, each of which opens with an attendance of 30 pupils. At No. 1 school, five pupils leave at the age of fourteen, when they have attained the highest standard, viz., the sixth book. At No. 2, five more leave at thirteen; and at No. 3, the goal is passed at the age of twelve. It is evident that here both teacher and pupils are entitled to the highest degree of credit for having secured the highest standard in the shortest time. Yet, how would the Census Commissioners report upon the state of education in these three localities?

Of course, that neglect prevails throughout them all, and in a very sad degree in No. 3, where 50 per cent. only attend school.

It is thus I explain the low position of Ulster in the following table given by the Census Commissioners:—

PROPORTION PER CENT.					
ATTENDING SCHOOL.			NOT ATTENDING SCHOOL		
IRELAND, 46·5.			53·5		
Leinster,	...	50·1	Leinster,	...	49·9
Munster,	...	54·8	Munster,	..	45·2
Ulster,	...	42·0	Ulster, ...	...	58·0
Connaught,	...	38·1	Connaught,	...	61·9

Of course in Connaught the attendance is explained on other grounds; partly from the scarcity of school accommodation, and partly from the fact that the Commissioners of National Education have not yet satisfied the wants of a Gaelic-speaking population. But in Ulster the schools are numerous, in fact, too numerous, according to some Inspectors, and not far apart, except in some rural and remote mountainous districts, and may be reckoned by the score in large towns of commercial activity, where as a matter of self-interest people are in the habit of sending their children to school at a very early age, in order to earn their bread in the mills and factories and warerooms, or become apprentices to different professions and trades. To confirm my case as against the Census Commissioners, I quote the report of the shrewd and able Inspector, Mr. Skeffington, whose district No. 10, extends from Donaghadee to Belfast:—

“The returns give of 8,000 examined 2,000, or about 25 per cent. infants, while 20 per cent. of infants is the average for Ireland, showing how young the pupils attend here, which is still more evident from the promoted. This district had 75 per cent. of classed pupils, against 80 per cent. generally, and 28 per cent. in senior classes (fourth to sixth); while only 60 per cent. of senior pupils passed for Ireland, 70 per cent. passed in District 10.”
Ex uno disce omnes.

In the North of Ireland children go early to school, and they leave at a comparative early age. I therefore dispute the statistics as given by the Census Commissioners, as they are based upon a false hypothesis, at least, so far as the greater part of Ulster is concerned. It is indeed a matter of curiosity to ascertain why the week ended 14th May, 1881, was the one of all others selected by the Commis-

sioners as the exponent of children's attendance at school. Any week in May no doubt seems plausible to readers as an excellent criterion of attendance. Yet whoever takes the trouble of making enquiry, as I have done, may find the issue of it unfavourable to the honesty and candour of those who made up the report. I shall confine my remarks to the three *schools* in my parish, in the County of Antrim, *of which I am manager*. In No. 1 one of the days was marked "struck out," and in No. 2 "*very wet*," in which school the attendance of pupils was 21 per cent. lower than the average for the year; and in No. 3, it was 30·3 below the average for the same year '81. It is not for me to assign a reason for their selecting that now celebrated week. A better test surely would have been the average attendance for the whole year, for one cannot help thinking that the above week in May was chosen in sustainment of what may fairly be considered a foregone conclusion in favour of compulsion. It cannot be said that there is here an argument from a particular case to a general, except one should say that the district about Glenavy was alone visited with rain at that time, and therefore I am right in assuming it as the general cause for the bad attendance of that week. The Census report is intended both for the government and the general public, and should be extremely accurate and above suspicion of taxing the credulity of the people, on the one hand, or supplying false materials for legislation, on the other. One thing is certain, if the Census Commissioners had taken the yearly average quotation instead of about the lowest actual numbers in any single week, they would have been better entitled to the praise that has been so lavishly bestowed upon their labours by a portion of the Irish press.

After such gross inaccuracies on the part of the Census Commissioners, it is not hard to deal with the second table furnished by them for four decennial periods, but two of them will suffice:—

IRELAND.

			Males and Females attending School.		Males and Females not attending School
1871	...	...	576·312	...	792·514
1881	...	...	627·319	...	720·702

So that these Commissioners inform us that in the latter year when the population of Ireland was returned at 5,159,839, there were no less than 1,348,021 children of school-going age, viz., more than one-fourth of the people

of Ireland, or about 26 in 100 ! Why if such a rule were applied to England, there should have been 6,741,732 at school, whereas, for that year, only an average of 2,863,535 was found in attendance in all the primary schools of England ! It is plain to be seen that the whole structure of figures piled together by the Census Commissioners is at once fallacious and rotten ; and if critics of ordinary discernment had consulted the report books, which are so easy of access to the Manager, or been conversant with the working of the schools, they might have long since detected the leaven, which runs through all their calculations. As to this question of regular attendance at school, is there no allowance to be made for those two powerful factors in Ireland, migration and emigration ? Is there no allowance for the children of the poor to exchange schools and to frequent the nearest in winter, whilst they betake themselves in summer to those of their own choice ? Children of the same family are known to attend school half the time alternately, that they may master the rudiments, if nothing else. It may not be a wise course to pursue, but one should be slow to condemn them for doing what they conceive is the best. Such children, it is true, although they may attend 99 days at one school and 99 days at another, earn no results-fees for their teachers.

In Great Britain, in the absence of a compulsory law, the parent would send his child to school, knowing well he must pay to the teacher his fee, or he would keep him at home, if he had no fee to spare ; but in Ireland, admission is granted on the easiest terms, or rather without any terms at all, no guarantee being exacted or given relatively to attendance of 100 days in order to obtain result-fees. Thus for many reasons there cannot be instituted a fair comparison between Ireland and England, or between Ireland and Scotland, in the matter of school attendance. It is not so much a question of irregularity of attendance at school as it is a failure of *continuous* attendance at the *same* school, for in the national schools in Ireland the same pupil is frequently entered on the rolls of different schools, two or three times in the year. If a return were given to Parliament of the collected instead of the divided attendances in Irish elementary schools for last year, it would be much more to the credit of Ireland. The Chief Secretary, proposing his scheme, said :

“ I was startled by finding that out of the whole number of children who attended school in Ireland during the last year for

which I have seen the analysed returns, there are 19·7 who attended 150 attendances—which means days—and only 24·7 who attended between 100 and 150; 24·0 who attended between 50 and 100 times; and the number of attendances less than 50 was 30·6.”

This return is clearly misleading. But if it be the desire of the Government to secure more favourable attendance, why do they allow the Saturdays to be excluded from computation? As in most of the higher schools their pupils attend on the half of the last day of the week, why should it not be the same in national schools? This claim may in justice be advanced by Catholics, as between holidays and other days of devotion there is fully a vacancy of a fortnight; and in this simple way education would be largely promoted and result-fees more generally obtained by the teachers. It is remarked that amongst those who advocate legal compulsion are the very persons who complain most of the present system of national education. In fact, they advance pleas which are utterly subversive of what they demand. The system, they maintain, is, in no sense, national; the history of the country is ignored by it, the text-books are unintelligible to the great bulk of the children; the instruction imparted is anything but practical, without a knowledge even of the commonest things. There is want of technical and industrial training, in a word, they maintain the present system is rotten in root and branch. Now, if these lackadaisical critics would but use the influence of the Press at their command, in order to effect a reform of the system and make it more popular than it is, something might be done which would preclude the necessity for compulsion. At present the only conclusion they should draw from the maladministration of the Government system of education is that it exculpates any defective attendance throughout the greater part of Ireland. Exceptional cases may be found in some of the larger towns where youth have facilities for making attendance at school. But why not apply to them the present Factory Laws, or why not make the attainment of a certain standard of education a *sine qua non* to apprenticeship to trade or business of any kind? Surely, the country at large should not be punished for the negligence of a few towns. Whilst in some districts schools are reported to be too numerous, there is a want of school accommodation in many others, and the schools in many instances are returned as unhealthy and uncomfortable, and

inefficient in a great measure from the want of a trained body of teachers who are not only unskilful but devoid of zeal.

Certainly, these statements, and all such charges, if well-founded, should exempt the poorer class of our people from the obloquy that is cast upon them by a few, and I feel pity for those newspaper critics who betimes treat us to a *threnody* upon the heedlessness, the negligence, and the culpability of the Irish poor in the matter of education. And the picture they draw of this educational gloom becomes more repulsive when they would contrast the amount of instruction in the primary schools of this country with what takes place in the laicised schools of France and Germany, as if quantity and not quality of education were the chief desideratum in the elementary schools of any country.

It is unworthy of Catholic writers to propose to the untainted youth of Ireland such countries as France and Germany as models of school life. Better is no education than education in schools where God is ignored, and from which religion and teaching of morality are excluded. The Church of France has persistently resisted obligatory instruction, and she is to-day face to face with a vile infidel government, biding her time for deliverance from her multiplied evils, and, like Rachel, bewailing her children because they are not. But it must be a matter of interest to observe the state of education in countries whose governments are not professedly infidel and which do not forget the traditions bequeathed to them from the great past under the ægis of religion. The following statements are given on the authority of the Royal Commissioners (England) on Technical Instruction. The report was prepared with a view to supply precedents for the introduction of the principle of compulsion in elementary schools. Notwithstanding, they are forced to avow that it is rejected in some countries, and has turned out a failure in others. Subjoined is a summary of the following countries:—

“ In Belgium at present they are in a state of transition as regards primary education. The results achieved by the clerical schools are of the highest standard, and they are far before the late Government establishments in every department of learning. Owing to the opposition of the Liberals and Socialists, the spirit of progress is so depressed that illiteracy to a considerable extent is still met with in several districts. At the age of conscription, it is stated, 30 per cent. of the Belgian male population can neither read nor write. There are no factory laws in force, public opinion

being the only corrective to the employment of children in mines and manufactories. Notwithstanding numerous defects in the elementary system, the middle class schools, principally conducted by the clergy, are most successful, imparting a high standard of knowledge to their numerous alumni.

“Holland is very forward in its system of primary education, and very liberal in the monetary aid extended by the State. Attendance is not compulsory, nor is the payment of fees insisted on, one-half of the whole school-going population attending free. In religious matters the School Board of Holland is neutral, and public grants are made to such private schools as observe that rule. For a population of 4,000,000 the cost of primary education exceeds £800,000 per annum, and the number of teachers is about 14,000. The middle class schools are similar in scope to those of Germany, except that classics are not so generally taught. Elementary education is both free and compulsory in Italy. However, should parents so prefer it, they are allowed to have their children instructed at their own homes, and on their certifying this to the syndic or mayor attendance at the public school is not enforced. Indeed, it is said that in Northern Italy the *law of compulsion is practically a dead letter*. The course for elementary instruction continues five years—one in the infant school, the other four in the elementary school. On leaving this the pupils may enter either a classical gymnasium or a technical school, according as they wish to shape their career. From the gymnasium the pupils may graduate on to the universities; from the technical schools they may pass on to the higher professional institutes, which correspond to the polytechnic schools of Germany. In charge of the clergy there are many highly successful schools and colleges both for boys and girls.”

The freedom of education, whether in public or private schools, and the generous endowments to both, as also the co-relation which exists between the lower and higher classes in the Kingdom of Holland preclude the necessity of compulsion. England boasts herself a rich country in comparison with Holland, and yet to be on a par with it she should expend in Ireland about £1,000,000 a year in the cause of education. Since the Irish debt was amalgamated with the English our people have not ceased complaining of their unequal share of the burden, and with this view before them it is no wonder that Poor Law Boards in Ireland refuse to impose an additional rate upon the land for educational purposes. We are very far behind continental countries in the provision of gymnasiums or middle-class schools for pupils of first-rate abilities, in which are taught Latin and Greek or some modern foreign language or sciences more advanced. The idea could be effectually carried out without applying to Government for immediate

aid, simply by appropriating the endowments of the model schools and establishing 500 or 600 sizarships or scholarships amongst the four provinces, thereby encouraging higher aims and nobler efforts in order to attain graduation in the University. Some of the model schools might be used for this purpose, or advantage might be taken of the present Intermediate Schools, many of which have already reflected honour on professors and students alike.

In accordance with instructions issued from the National Board in Dublin to their Inspectors, who were to furnish their reports for the year 1883 and 1884, few, very few of them, take an unmitigated view of the necessity of compulsion. By far the greater number of them either look upon it as a hazardous innovation to be used with extreme caution and varied modifications, or reject it entirely as fraught with mischief to the best interests of education.

Here is an extract from a long report on the question of compulsion given by Mr. W. J. Browne for the county of Clare:—

“The percentage of the population present at results’ examination was very little greater in England than in Ireland, and was exceeded by that in Co. Clare. The percentage in 1881 was in Ireland 9·6, in England, 10·5, and in Clare 11·8. I have made inquiries in several parishes in Clare, from those best qualified to give the information, and have been told that there is scarcely a child of school-going age who does not attend school at some time during the year. The law for compulsory attendance has not worked so well in England as to encourage its wider application. Rev. J. R. Byrne, H.M. Inspector, says of his district, in Surrey and Middlesex: ‘The improvement effected in the attendance, if any, is infinitesimal . . . and as to regularity, in this respect the attendance has actually declined 4 per cent. in the last four years,’ and his conclusion is, ‘compulsion is a failure.’ Mr. G. H. Gordon says of the Bolton district: ‘The existing regulations for enforcing the regular attendance of pupils are a failure.’ And Mr. Willis, ‘Unless compulsion is made far more real than it is at present it would be better for the sake of the regular attenders, to drop it entirely.’ ‘Then,’ continues Mr. Browne, ‘the query arises, would not compulsion by law do away with that more kindly and more popular compulsion exercised so effectually at present by the clergy of the country and a few others.’”

Mr. Hamilton, of Dungannon, writes:—

“Theoretically, there may be no objection to compulsory education, and if it could be done in a moment, and once for all, then it would be easy to catch and educate the fourth of a country. But education is a tedious process, and even in the most restricted

sense in which the term is used, compulsory education must be slow and expensive. Additional schools must be provided and additional schoolmasters. A new class of officials must be appointed for the purpose of hunting up defaulters, and compelling their attendance. And what will be the result? An increase in the number of schools, *an increase in the number of pupils qualified for examination*; but as regards the proficiency of those who now attend for one hundred days and upwards what reason have we to expect any improvement? Compulsion may bring a greater number of pupils into a school, but of itself it will utterly fail to make the school more efficient. In fact, I should expect that it would have just the opposite effect. The 10, 15 or 20 per cent. which compulsion may add to the numbers of any school will almost certainly include the least tractable, the least studious, and the least intelligent portion of the pupils. Under no conceivable circumstances will compulsion affect the pupils who already attend for upwards of 150 days in the year, and yet how many pupils of this class fail in one or more of the subjects of their course."

Mr. MacCreanor of the Newry district, says:—

"The parents and children are almost always anxious, which I consider very creditable to them, to have the attendance sufficient to secure admission to the results' examination. Many endure privations and make generous efforts to this end. Neither the loss of wages, nor domestic difficulties connected with food, clothing, or home duties, not even the death of a near relative, deters them occasionally from attending. The cases in which pupils remain away from these examinations through carelessness or intention are comparatively few, and very seldom, I believe, without cause on the other side. From the above facts, and from a strong innate feeling that the State has no right to *compel* the *honest* poor to send their children to school, particularly to State schools, I feel it a duty to deprecate compulsory education for Ireland as very unnecessary and extremely objectionable. We have not a score of towns with a population exceeding 10,000 inhabitants. Four-fifths of the population is rural, which makes the case of Ireland quite different from England. We have compulsory education already in connection with Reformatory, Industrial, Prison and Workhouse Schools, where it is useful and desirable. The clergy of the different denominations may safely be left to deal with this matter, and they will be aided, if they wish, by good and charitable people in applying to parents and children the salutary law of persuasion, as is so successfully done at present. No doubt some clergy speak and write occasionally in favour of compulsory education, but possibly they represent only special localities, or more likely cases which, like cases, generally have two sides. No honest family should be invaded with compulsion, pain and penalties in this matter."

The strained relations which are certain to follow upon the application of compulsory laws outweigh all other considerations in the matter of education. The ratepayers of Ireland already overburdened can ill-afford to pay additional taxes for the erection of new school buildings and an annual charge besides for their maintenance and for the support of an increased staff of teachers; yet, when all this is done, there will be no longer those gentler feelings and happy influences between managers and teachers on one side and pupils and their parents on the other. The most meritorious of the pupils for their regular attendance will share no distinction from the idle and mischievous who will be coerced into the same school. The clergy especially, whose energy, and zeal have hitherto exerted a moral compulsion for gathering all the youths of their parishes into the schools which, in many cases, cost them much labour and expense, will feel how sad the change is, when they can no longer hunt up scholars, lest they might be deemed Government detectives for bringing the youths of their flocks into the meshes of the law, and doing the work of policemen or other paid officials of school committees. At present, a priest visiting his parish and working for the interests of his school is considered by the people as the minister of God bent upon doing his duty; but under a system of legalised compulsion in which others are paid to do the work, he would be suspected as one exceeding his duty and passing for an unpaid informer. No doubt, humanly speaking, it is painful for a priest to have to appeal to a certain class of parents so frequently when that appeal seems as frequently to be made in vain, but after all, his duties and his privileges are summarised in the "*Praedica verbum, insta opportune, importune,*" and it would be preposterous to assert that the "*argue, increpa, obsecra*" could ever be satisfied by the substitution of an Act of Parliament for personal duty.

After reading the Inspectors' reports as to the inefficiency of a large number of untrained teachers (the Commissioners' Report for the 31st December, 1883, gives, out of 10,621 classed teachers, only 3,406 trained) it would be tyranny to enforce attendance at those schools under penal enactment.

Inspector Purser, of Clonmel, uses these words:—

"I believe that the influence of the clergy among their parishioners and the satisfactory work done by the teachers are quite sufficient to produce as much regularity of attendance as can

be secured by law, and with much less unpleasantness. Well conducted schools do not require 'compulsory attendance,' and where the schools are not well conducted, compelling the children to attend will not educate them. Indeed, in such cases, it would be very unfair to compel attendance."

Mr. Browne, writing from Ballinamore, says:—

"I think in the absence of legislation, determination on the part of the managers, and vigilance on the part of the teachers would do much to remedy both want of punctuality and irregularity of attendance."

Mr. Downing, of Galway, maintains:—

"A really good teacher, under an energetic popular manager, nearly obviates the necessity for compulsion in a school circle."

Mr. O'Carroll, of North Dublin district, declares:—

"Better than compulsory education, better than increased salaries, better than improved Pension Acts, would be acceptable training institutions, in which young men and women could learn how to teach."

But for practical purposes the most important evidence is that given by Sir P. J. Keenan before a Select Committee, in which we have got the admission from the National Board through their respected representative, the Resident Commissioner, that National education in Ireland is practically denominational, as much so, in fact, as it is in England; and what is now required, is to have a time-table conscience clause, which, if I may speak, for Catholics, will be acquiesced in and faithfully adhered to.

Sir Lyon Playfair:—

"You know that there are two systems of schools in Great Britain; denominational schools with a time-table conscience clause, and rate-supported schools: I presume your system is only one; that all your schools are practically denominational schools with the time-table conscience clause?"

Sir Patrick J. Keenan:—

"All our schools are schools open to children of every denomination, with a conscience clause; that, I think, is the best way to define it.

"Would you not go farther than that, and say that each of your schools, being to a great extent under clerical managers, these schools are denominational schools with a time-table conscience clause?"

"I would rather have my own definition, than give that name to an Irish National School; but practically, as you say, where

there is but one denomination, and the school is under a manager and teachers of the same religion as the children, you might call that a denominational school.

“Where there are 97 per cent. of the children Roman Catholics and 3 per cent. Protestants, the three Protestant children are able to retire at the time of religious service, but would you not call that a denominational school?”

“In Ireland, we would hesitate to call it a denominational school. In Ireland, a denominational school is understood to be a school where religion may form part and parcel of instruction every hour of the day, and where there is no restriction and no conscience clause.

“If that is what is meant by a denominational school, then there is none in the whole of the United Kingdom, I imagine; because there are no denominational schools in England without a time-table conscience clause. I think we mean the same thing under different names?”

“I think we mean precisely the same thing, only I prefer my own definition of what an Irish National School is.”

If this proper view be carried out, we shall have obtained what years of agitation, on the part of the Irish bishops and clergy and laity, have been spent in vain to secure, the National system will cease to be any longer what it has been hitherto viewed as a purely governmental one, and a friendly partnership between our rulers and the people will eventuate to the good of both. There need be but a slight deviation from the existing mode of administering the rules and regulations of the National system. The Crown would be represented as usual, and the very valuable services of the present Head Commissioner still retained. But the mode of appointment of the other Commissioners should give place to the choice of the different religious bodies on the lines already laid down for representation at the Board of Education.

If the conscience clause become the rule in Ireland as it has always been in England, education will at once receive an impetus it never had before; local contributions will flow from the charity and philanthropy, which were closed under government interference, the teachers will be better paid in consequence, and under an increased attendance at school besides, and much of the present vexation will cease.

GEORGE PYE.

ON THE TELEPHONE IN RELATION TO THE SACRAMENT OF PENANCE.¹

IN taking up once more the question of the Telephone in relation to the Sacrament of Penance, after letting it drop for so long a time, I do so, no doubt, at some disadvantage. Whatever interest was raised about it, will have much waned, and it is perhaps forgotten how matters stood at the interruption of the controversy. For myself, I make, it may be, but a sorry reappearance on a field whence I so abruptly retired, whilst in face of a doughty yet gentle combatant, whose thrusts I received without attempt to parry, or to save myself except by retreat. For anything that unintentionally might have looked at the time like literary discourtesy, or want of appreciation on my part of the very able second letter of *Sacerdos Dublinensis*, and of the interest he lent to my inquiry by the share he took in its discussion,—for aught of this I must throw myself on his indulgence, and plead in excuse many various duties at home and abroad in my life as a Religious. It seemed to me, moreover, that there was, after all, no very great or substantial disagreement between us, and that it might be better to leave to the impartial judgment of others any divergent opinions on the right interpretation of certain passages in authors, as well as other minor points at issue, which were perhaps due rather to some little mutual misunderstanding than to any real difference of conviction.

In the present article it is not my intention to reopen any of the theological statements or arguments which formed the matter of my former contributions to the RECORD on this question : and I must be allowed to assume the general soundness of my thesis as therein exposed. It has indeed very recently received an important confirmation, and has been relieved of my own mere individual responsibility, by the implicit sanction Father Sabetti, S.J., gives to it in his new edition of Gury-Ballerini,² (cap. iii.,

¹ See I. E. RECORD, October, December, 1882, February, March, April, 1883.

² Compendium Theol. Moralis &c., a P. Aloysio Sabetti, S.J., in Collegio SS. Cordis ad Woodstock, Theol. Mor. Professore. Neo-Eboraci. Benziger Fratres, 1884.

De Forma Sacramenti Poenitentiae, n. 728) where he writes as follows :—

Quær. 7°. Quid dicendum de absolutione data, adhibito novo illo instrumento, quod vulgo dicunt telephone ?

Resp. Extra casum necessitatis est certo et graviter illicitum confessario tali instrumento uti, quia certo exponeretur sacramentum periculo nullitatis, et quia nova praxis induceretur in administratione sacramentorum, eaque fraudibus obnoxia. Utrum autem in casu extremæ necessitatis possit tolerari usus talis instrumenti, difficile est decernere, et quaestio digna est quæ ad Sedem Apostolicam deferatur. Attamen, ut quid mihi videtur dicam non apparet cur damnandus sit sacerdos qui per telephonium conditionate absolveret poenitentem aliquem postquam ab hoc cognoverit se esse subito gravissimoque morbo correptum, de peccatis suis maxime dolere, et ad instrumentum aures applicuisse absolutionem expectaturum. Etenim præsentia moralis, et nexus inter materiam et formam in unoquoque sacramento requiruntur utique, sed diverso gradu et modo pro diversitate uniuscujusque ritus. Quoniam autem sacramentum poenitentiae est institutum ad instar judicii forensis, ad quod sufficit illa presentia vi cujus judex et reus possint simul colloqui, non videtur in casu proposito absolutionem esse certo invalidam, siquidem poenitens et sacerdos possunt dici vero sensu esse colloquentes. Cf. IRISH ECCLESIASTICAL RECORD, Octob., Decemb., 1882, Feb., Mar. et Apr. 1883.

Thus my question :—"What, according to the principles of theology, is to be thought of the validity of sacramental absolution given through the telephone, and of its lawfulness, at least *sub conditione*, in a case of necessity?" which, in the pages of the RECORD, was professedly but a speculative inquiry, has been raised its first step of promotion towards becoming practical, by its adoption in a text-book of Moral Theology.

The affirmative theological view advanced in the RECORD with regard both to the validity and liceity did not there assume other than a hypothetical form,—being made dependent on the answer to be given to a further question, viz., whether or not it can be truly said that the human voice is heard through the telephone. This question Fr. Sabetti does not hesitate to answer in the affirmative. "Siquidem poenitens et sacerdos possunt dici *vero sensu* esse colloquentes." He is, however, silent as to his grounds for this decision.

My last article concluded with the following appeal to Science on this point :—"With regard to what belongs to purely Natural Science, I hope that some one fully competent to discuss this most vital part of the inquiry may be

induced to write in the pages of the RECORD. If Science should give as its verdict, that through the telephone, as is claimed for it, there is immediate sensible perception of another personally, *i.e.* if it may be truly said that the human voice is heard through that medium, I still incline to believe the last word has not yet been spoken on the telephone in relation to the Sacrament of Penance."

The Rev. F. O'Dwyer most kindly accepted the invitation, and in a very able, lucid, and interesting Article, demonstrated, so it seemed to me, that according to the system and principles of Acoustics, and laws of Sound, as generally laid down in scientific treatises and text-books, and hitherto commonly received, it could not be truly affirmed that the human voice is itself heard through the telephone. I will not here make any further remarks on Fr. O'Dwyer's article, except to say, that if it were in anywise controvertible scientifically, I was myself incompetent from unacquaintance with physics, to attempt a reply based on principles of science. Moreover, two scientific men, whom I consulted, pronounced on the question in substantially the same terms as that article.

My readers must now bear with me, if in what I have yet to say I seem to speak too much of what is personal and subjective to myself; but I do not see any other way of introducing and explaining what is the main object I have before me in writing this article. I must begin, then, with making a confession. After having appealed to Science, by whose decision I had professed to be willing to abide,—when she had given her verdict, from her approved text-books, which I, at any rate, could not gainsay—rebellious thoughts arose within me against her laws and principles in this matter of acoustics, as being altogether too technical, cramped, and narrow, to cover the reality of recognised facts. Can it be, I said, that when all the world talks of our speaking to others, of our words and voices being heard, and of ourselves hearing in turn the words and voices of others, through the telephone—can it be that we do not really hear them, and we are ourselves not really heard at all—because, forsooth, the circumstances and conditions of the telephone do not square with a limited system of acoustics which was elaborated before the telephone was discovered, and because the principles of that limited system fail of verification with the use of this newly-discovered marvellous instrument for the transmission of sound?

Tell me that the only means recognised by Science for the continuous communication of sound are air-waves, elastic medium, &c., and that the laws which regulate these are thoroughly ascertained truths; I believe it, and I have but to look through some of the most modern scientific treatises and encyclopædias to render my belief doubly sure; for there in an Article on Sound I shall find no reference to electricity, it not being then known to play the important part in acoustics it does, and the name of the telephone being then unheard of. But all this can hardly persuade me that electricity (though its nature and mode of action be more subtile and impenetrable, and the principles of cause and effect more difficult of verification and less intelligible in its working,) is not equally with air-waves and elastic medium an instrument for the transmission of sound; when speech, by its agency in the telephone, affects the drum of my ear with the same material impression, and conveys the very same human thoughts to my conscious brain and intelligence, as speech which wends its way by the ordinary passage of air-waves and elastic medium.

Human speech, we may say, is a compound made up of matter and form; sound is the matter, whilst thought is the form or soul. Through the telephone the speech of another comes to me in its identity both of matter and form, as it was uttered, and informed by the intelligence of the speaker. Neither variation of route by which it travels, nor difference in the mode of conveyance, nor change of carriage on the way, could, one would think, affect its identity. Hence, it seemed to me that an appeal must be made to a higher court, that namely of common-sense philosophy, if so it must be,—against even the approved dictates of technical science, as at present commonly received, in order to learn whether such was really the right interpretation and final verdict of true physical science on the question.

Certain considerations, moreover, suggested themselves to me, not as a physicist, which I am not, but on what I may call philosophical grounds; and these, however crude and commonplace, I here note down.

1° Are not the various theories and principles of physical science—also termed laws,—however true so far as they go, after all only so many abstractions and generalisations deduced from experimental knowledge, and consequently mere hypotheses, in such sense, that if the field of experience widens, and other phenomena or facts be forthcoming, the

theory, principle, or law, in order to be scientifically adequate and complete, must be so modified and extended as to take cognisance of, and include such additional phenomena or facts? And have not, as regards any definite subject matter, what might in some sense be regarded as abnormal, and exceptions to, or aberrations from a given law, as good a right, in the nature of things to go to make such law, and to be included in it, as to be excluded from it and ranged outside? Should not experience be certainly exhaustive on any definite subject matter, in order to be able to affirm with certainty that such or such a theory or hypothesis is really an adequately true and scientific law?

2° Applying this to Acoustics: The law or principle arrived at by science from experimental knowledge affirms that an elastic medium is a *conditio sine qua non* for the transmission of sound. Might not, or should not, such a law or principle be modified by the addition of: "or electrical agency," after *elastic medium*, derived from experience since acquired? Is not this way of putting the law as reasonable, true to fact, and philosophically scientific, as to deny that the sound we hear at one end of the telephone has been transmitted or passed on from the other end?

3° Is it not, after all, essentially a question of transmission of energy or power? And is it not identically the same energy, resulting from the voice of the speaker at one end, that is transmitted to the tympanum of the listener at the other end of the telephone? Does it matter much about the mode or medium of such transmission, whether by air-waves, elastic medium, tube, string-telephone, or electricity? Does any modification of the mechanism, or means of transmission, necessarily destroy the identity of the energy transmitted?

4° Has not the force or energy of the vocal organs, which sets in motion the air, and elastic medium, or causes the diaphragm to vibrate, etc., as good a right to be called—and is it not as much in the nature of things and apart from any foregone hypothesis—an essential element constituent of the human voice, as the vibrations and air-waves which that force or energy sets in motion? Is, I ask again, the identity of the human voice lost on account of the modification or change of medium or mechanism which transmits it?

5° The main drift of the foregoing questions is something like this: might not a hypothesis or law of Acoustics which, amongst other data of experience on the whole

matter of Sound, should take account of the phenomena of electrical agency,—even though it be not as yet systematised, and hitherto have no recognition in scientific treatises, encyclopædias, or text books,—be regarded, and really be as strictly scientific, to say the least, as one which ignores these phenomena? Or, in other words, might not philosophy, which should be the mistress and guide of science, give answer, that whereas on one scientific hypothesis it is affirmed that the human voice itself is not really heard through the telephone; yet, on another scientific hypothesis based on new and wider experience, it may be affirmed that it is certainly so heard? And would not common-sense philosophy decide that the former hypothesis should give way to the latter?

6° I have asked practical men of the world, in business, &c., who have, at the same time, a thorough knowledge of the commonly received science of Acoustics, whether they would say (*humano modo loquendi*) that they really directly heard the voice of a speaker through the telephone, and they have answered me decidedly in the affirmative. The argument of common sense, and ordinary human estimation, appears to me to have no little weight in the question.

There were some other considerations also, but these will here suffice. I had great diffidence with regard to them, as running counter to generally admitted principles, and trenching on questions of physical science, in which I am wholly unversed. For a long time I sought in vain for some eminent physicist, to whom I could submit them, and who would be disposed to look at them with a large and philosophical spirit, and not merely in the light of technical science. The difficulty of such consultation was moreover, to my mind at least, considerably enhanced by the necessity I saw I was under, in order properly to explain my case, of entering into that particular matter of Catholic theology, which the resolution of the scientific question was intended to subserve.

Most happily last summer I received an introduction by correspondence to Professor Ryan, of the University College, Nottingham (M.A., Cambridge, and D.Sc., London), who has devoted himself especially to the science of physics; and to him I submitted my views in terms almost identical with those I have here expressed; whilst, at the same time, I explained fully my theological object, and the whole matter of the requisite moral presence, intimating

that, if I could at all see my way clearly, I had thoughts of resuming my literary controversy in the I. E. RECORD, and this time, indirectly at least, on the scientific aspect of the question. I cannot sufficiently express my sense of the great kindness of Professor Ryan, who has taken much interest in my inquiry, and has given me most valuable help, and this, as I am well aware, under the pressure of constant occupation. In reply to my first communication, he wrote August 9th, 1884:—

¹“ Your letter reached me to-day. Speaking as a physicist, I agree with your view completely. I have no hesitation in endorsing it. The difference between hearing speech in the ordinary way and by telephone is a subject for investigation, and a matter of interest to a student of physical science, but can have no meaning for a theologian or a moral philosopher. Regarded philosophically, there is no essential difference; it is merely a question of the *mechanism*. It is a question of transmission of power, as you seem to see. It doesn't matter much whether you transmit power by a strap, or by a train of wheels. One method is the best in one case, the other in another, the principle is the same in both. When you speak, you agitate the air, and the blow is transmitted to the tympanum of the listener. If you use the string-telephone, the sound is transmitted by the string, which vibrates longitudinally. The electric telephone is a different instrument to the scientist, but for your purpose it is just the same. Both are mechanical arrangements for transmission of sound; the use of electricity, or string, cannot affect the case. In the string-telephone, the energy transmitted is not always in the form of motion. The cohesion of the string, to which is due its elasticity in part, is concerned in the transmission. In the case of the magnetic telephone, elasticity, due to cohesion, does not play a part, but electricity comes in. This merely means that the mechanism differs in the two cases. To modern physicists, electricity, though not understood, is merely a motion or affection of some created thing. In the telephone it is merely a part of the mechanism for transmitting sound, as the air is in the case of ordinary conversation, the string in the string-telephone, or a rod or rail of wood or iron in certain cases. Doubtless we shall in time to come have clearer and different conceptions of these mechanical arrangements for the transmission of sound,

¹ It should be remarked—and internal evidence shows—that the following communication was not at all intended by the writer to be a continuous scientific exposition of the matter it deals with. It is written in a free epistolary style, interspersed with detached and fragmentary information on several points I had put before him in a desultory way, and about which I had asked questions. Professor Ryan little thought as he wrote it that it would ever see the light of publicity. But I do not on that account consider it of less value.

but that cannot affect the question at issue. However different, the subordinate instruments in every case may be classed as 'Mechanism.' It is the business of the physicist to explain the phenomena of the universe according to mechanical principles. He regards it as automatic mechanism (abstracting of course from all question of supernatural agency). If a thing takes place in a natural way, he says it is due to the action of such and such forces acting in certain ways. He assumes that everything acts so, and predicates accordingly. The position is quite clear. If, then, theologians accept our view, they must accept the telephone as a means of transmitting sound, which is not essentially different from the ordinary mechanism.

"I would point out further that in the ordinary methods of hearing confessions, the sound is frequently transmitted by a sounding-board, the partition of the confessional. Again, the waves of sound strike on the drum of the ear, and move a series of bones beyond it, and eventually excite a nerve, probably developing an electric current, before the brain is conscious of what is said. Thus, then, the ear and nerves form an instrument more complicated than the simpler telephones, the addition of which to the ear cannot materially affect the question. I cannot speak on the theological question; but I take it that sound is the ordinary vehicle in the sacrament, and, surely, this is provided in the telephone. I suppose, too, that inflections and tone of voice are sometimes of importance. Well, these things depend on the harmonic waves and subordinate waves superimposed on the main waves of sound, and all these are reproduced by the telephone. You can recognise the voice of the person you are conversing with, and also hear conversation that is taking place near the transmitter. I may say that the sense of hearing can be perfectly satisfied by the use of the telephone. I speak of the more perfect telephones, and these are as good as one could wish. Of course a common telephone is very inferior, and the good ones are expensive; but this is beside the question. Probably no telephone would be quite perfect, and allow you to hear as well as if close to the speaker; but the best ones approach this, and are not so defective as many human ears that are utilised in the confessional.

"In answer to one or other of your queries: You can say that you see a man in a mirror, even according to universally received principles of physics, for the rays of light truly fall on your eyes; they are merely reflected, just as sound is in St. Paul's. So, with spectacles, you see by rays which are refracted or bent, but not by reflection. In either case you may say you *see*. Sound can be reflected just like light and concentrated at the *focus* of a mirror; so that sound unheard in intermediate positions would be audible at a distance. It can be refracted or bent by a gas bag.

Personally I do not think the question is one so much for a scientist as for a philosopher, and I consider that you decidedly take the right course in treating it mainly from the standpoint and on the lines

of philosophy. The very expression, 'to hear the human voice,' whilst most certainly it has its own true objective meaning, yet regarded scientifically, is a loose popular expression, and is, I think, hardly capable of scientific explanation. What we have to rely on for its verification in its true sense,—and here we go by philosophy, rather than scientific terminology,—is, that through means of another's speech our sense of hearing should be affected by the sounds of that speech, in the same or a similar way as ordinarily happens; whilst, at the same time, these sounds, or spoken human words, should convey their own inherent thoughts, of which they are the natural vehicle, to our conscious brain and intelligence. Herein consists, essentially, human speech, and is found the requisite moral presence. And this indisputably is obtained through the telephone

I wish you success in your controversy. You are certainly right. But you must proceed by philosophy. If you go by merely technical science, the exponents will tell you from the text-books that there is a physical difference between a sound-wave and an electrical current,—they will speak very positively, and there will be an end to the matter. I have not gone into your arguments. I believe the question, scientifically is one of very simple principle, which is likely to be lost sight of by going into details. Such details as I have touched upon, I do not consider as vital. I have only used them as extra arguments. The one principle and argument I rely upon is, that the mechanisms are of the same nature. I have very little time for anything beyond my ordinary work, but I shall be happy to furnish any items of scientific information that it is in my power to give which may be of vital importance in the discussion."

I had often heard the name of Lord Rayleigh, F.R.S., Professor of Experimental Physics in the University of Cambridge from 1879 to 1885 (he has this year retired), mentioned especially in relation with Electricity and Acoustics, as a scientist of the highest order and of pre-eminent authority.

Professor Ryan says incidentally in one of his letters:

"Lord Rayleigh would be perhaps the best judge in the world and the greatest authority on this question. *Sound* is Lord Rayleigh's own especial subject. Electricity has also been one of his chief studies."

And it was with much interest I had read some remarks of his in a brief report of his Inaugural Address as President of the British Association at its Meeting last year in Montreal. "The beautiful inventions of the telephone and the phonograph," he says, "although in the main

dependent upon principles long since established, have imparted a new interest to the study of Acoustics. The former, apart from its uses in every-day life, has become an instrument of first-class scientific importance. The theory of its action is still in some respects obscure, as is shown by the comparative failure of the many attempts to improve it. In connection with some explanations that have been offered, we do well to remember that molecular changes in solid masses are inaudible in themselves, and can only be manifested to our ears by the generation of a to-and-fro motion of the external surface extending over a sensible area. If the surface of a solid remains undisturbed, our ears can tell us nothing of what goes on in the interior. In theoretical acoustics progress has been steadily maintained, and many phenomena which were obscure twenty or thirty years ago have since received adequate explanation. If some important practical questions remain unsolved, one reason is that they have not yet been definitely stated. Almost everything in connection with the ordinary use of our senses presents peculiar difficulties to scientific investigation. Some kinds of information with regard to their surroundings are of such paramount importance to successive generations of living beings, that they have learned to interpret indications, which, from a physical point of view, are of the slenderest character. Every day we are in the habit of recognising, without much difficulty, the quarter from which a sound proceeds; but by what steps we attain that end has not yet been satisfactorily explained. It has been proved that when proper precautions are taken we are unable to distinguish whether a pure tone (as from a vibrating tuning-fork held over a suitable resonator,) comes to us from in front or from behind. That is what might have been expected from an *a priori* point of view; but what would not have been expected is that with almost any other sort of sound, from a clap of the hands to the clearest vowel sound, the discrimination is not only possible, but easy and instinctive. In these cases it does not appear how the possession of two ears helps us, though there is some evidence that it does; and even when sounds come to us from the right or left, the explanation of the ready discrimination which is then possible with pure tones is not so easy as might at first appear. We should be inclined to think that the sound was heard much more loudly with the ear that is turned towards than with the ear that is turned from it, and that in this way the direction

was recognised. But if we try the experiment, we find that, at any rate with notes near the middle of the musical scale, the difference of loudness is by no means so very great. The wave lengths of such notes are long enough in relation to the dimensions of the head to forbid the formation of anything like a sound shadow in which the averted ear might be sheltered."

I have quoted thus at length Lord Rayleigh's words, though they bear only remotely on our question, because they are those of one of the highest living authorities on Sound, and they seem to me clearly to show that the science of Acoustics is yet in progress, and that its laws and principles as hitherto understood are anything but so absolute, so exhaustive, and certain, as the generality of scientists would make them out to be. After long hesitation, I yielded to my own desire, and to the recommendation of a friend, by writing to Lord Rayleigh, and submitting to him the considerations I have given above, in almost identical phrase. At the same time I set forth the ulterior object of my inquiry, together with such points of Catholic theology as were necessary to be explained. With courteous kindness he returned the following answer:—

"TERLING-PLACE, WITHAM, ESSEX,
February 5th, 1885.

"SIR—It so happens, curiously enough, that I have had occasion before to give an opinion upon the matter raised in your letter just received. It was in connection with a suit between the Post Office and the Telephone Companies. I agree with the view you express. I consider that there is no essential difference between conversation by telephone and through an ordinary speaking-tube. In the one case the intermediate mechanism is mechanical (so called), and in the other electrical; but this difference appears to me to be not fundamental.

"I am, yours faithfully,
RAYLEIGH."

"P.S.—You are quite at liberty to quote my opinion."

I have still further matter of considerable interest to communicate on the subject of this Article, which I must necessarily postpone for a future Number.

THOMAS LIVIUS, C.SS.R.

THE INTERESTS OF THE POOR UNDER THE POOR LAW.

IS there a priest who does not look upon it as one of the chief glories of his election that to him have been committed, and in an especial manner, the interests of the poor? If this be so, it will be admitted that a plea for any class of the poor finds its place within this RECORD almost as of right.

But why is this particular class which has been taken charge of by the State, brought here under consideration in so special a manner?

It is because the State having no special commission to the poor, is apt to misunderstand or disregard their wants, as it has misunderstood or disregarded them; because their legitimate interests cannot be misunderstood or disregarded without working more or less evil to all classes of the community; because, again, the priest in his relation to the State, has the right, the duty, the power, of raising up his voice and using his influence, and effectively, in defence of their misunderstood wants.

The State has taken charge of those that are destitute. It cannot tolerate the scandal, that through his own fault or faultlessly, any one should be without such bare necessities of life, as food, raiment, warmth, shelter. But having accepted the duty of protecting the worst or the most unfortunate from utter destitution, it finds itself straightway face to face with such intricate and absorbing problems, as their right to religious help, to educational help, and the indubitable rights of the rate-payer who, out of may be very slender means, finds himself called on to contribute to the support of those for whose distress he is in no way responsible.

And in this century of boasted progress, when States no longer profess to rule in the name of God, the State no longer knows how to seek enlightenment from above, and attempts to solve these problems by its human knowledge alone. And as no other mode of solution is now possible, those who have a better knowledge, who are conscious of the wisdom to be found in the pursuit of the charities of God, through God, and for God, must be satisfied to work through purely human means, content if they can lighten the mass. Let us then accept the State system, and as practical men, study

its shortcomings, its possibilities, and make the best of the means within our reach. To act otherwise, would be to sacrifice real interests, in the pursuit of that chimera, the ideal good.

We must, then, consider, carefully weigh, and respect the views of mere political economists, and show them, as we can show them, how by too great a rigidity they miss some of the objects for which they contend; and by saving a penny here, incur the loss perhaps of a pound there. For beyond a doubt, and as the result of experience, it is admitted that the State system has brought upon us, the additional burden of an hereditary pauperism.

What is there then, in the system of which we complain?

Take the mass of the inmates of our workhouses. Sane and insane, good and bad, old and young, are more or less mixed up with one another, to fester in discomfort, degradation; and general unwholesomeness.

In the interests of the ratepayer, the workhouse must be made uninviting; there is deprivation of personal liberty, and there is put upon the poor the livery of social degradation. The poverty which God respects, is deprived of the honour due to it, and society claps its brand upon, and works its will with it.

The insane are deprived of that special treatment which might in some cases cure, and would in most alleviate. The innocence of childhood is contaminated by association with the out-come of the childish offscourings of the streets; and its hopefulness blunted in its beautiful aspirations by the general hopelessness of its surroundings.

The discipline which is irksome to the well-intentioned, and is felt to be a punishment by those who have done no wrong, has no terrors for the harlot who uses the house as a lying-in-hospital, or for the idle tramp who uses it as an hotel.

What wonder if many come to look on the house as an inevitable and in many cases a not unwelcome home? What wonder if youth,¹ cut off from its natural aspirations, brought up to be able to read and write, and to know the dimensions of the great Chinese wall, but wholly untaught in the use of the weapons required in the battle of life,

¹ For a view of the effect on youth of workhouse training, see the evidence in the latter part of my *Amalgamation of Unions*.—Duffy & Sons, Wellington Quay, Dublin.

turned out to be mere hewers of wood and drawers of water, called upon to do the coarsest and hardest of work for infinitesimal wages, should give up the seeming hopeless struggle, and lead a life of crime outside, or return to the house to live in apathetic scheming idleness? Even the knowledge of reading and writing and of the great wall, become obstacles and deepen despondency. I have no wish to exaggerate. Exaggeration would not answer my purpose. I freely admit that many families have found in these houses useful temporary resting places, when the waters of distress have risen to their mouths, and have gone out again to resume an honourable and successful struggle for existence. Not a few youths have gone forth and won for themselves positions of honour and trust; but in reckoning up the moral balance sheet of a great State system, it is of more importance to consider the possibilities of evils it presents, and to view mournfully the shipwrecks those possibilities have brought about.

Common sense, indignant at the disastrous confusion of idiosyncrasies such as I have spoken of, cries out, "Why not classify the inmates? Surely the interests of the ratepayer can be duly consulted, without the perpetuation of these evils."

The Economist replies: "Common sense, my dear sir, has not much to say to State systems; they are not impressed by probable, what you would call certain, results—for these results you cannot prove. You cannot prove that the insane you see in these houses are curable. You cannot prove the demoralization of which you discourse so feelingly. You cannot be certain the young will turn out ill. For the general discontent and lack lustre eyes, you draw perhaps just a little on your imagination. The poor under the system are not perhaps quite so happy as we should desire, for I too have a heart, but I must be just. The money taken from the ratepayer is a fact; we cannot speculate with his money on the possibly better results to which you seem to point, the attainment of which would be costly. We consult his interests in making these houses just a little unpleasant, what we call the *workhouse test*." Thus the Economist.

Certainly the interests of the ratepayer must be consulted, and when we reflect that many who pay rates are saved from pauperism by an almost heroic self-denial, we must admit that those interests cannot be too carefully or too anxiously considered.

But when results such as I have depicted are *common* results of the system, is it quite clear that the interests of the ratepayer are consulted? It would seem to be a very doubtful point.

Classification does not present the difficulty it is supposed to present. It is not even a novelty. It has been practised in the United States for some time past, and is said to have worked most beneficently.

What is classification? Carried out in its most *necessary* details, it means a total separation of the sane from the insane both in *house and grounds*, and the gathering together of the children in separate establishments for the purpose of giving them industrial training. Carried out completely, it would mean also the separation of persons of character from those who had none—none at least that they care to keep.

To build separate houses, to find separate staffs, separate funds for these various classes, would involve us in enormous expense. Such a scheme would be impossible.

But it happens that we possess the houses, that the staffs are already in full work, and that by a better economy, the poor-rate already expended from year to year, would produce very nearly a sufficient supply of money.

The poor law system was established and in operation before the great famine of 1845. That disaster fell upon us with great suddenness: the potato crop was blasted in a night, and the majority of nine millions of people found themselves face to face with a certain and not distant famine. It came, and fever with it—a fever which spared neither rich nor poor. Every industry was paralysed except the official distribution of relief, and that came too late, and was wastefully squandered. The Government was struck with panic, and the vast expenditure which might have been spent in works of abiding utility, reared up monuments of incapacity. Among other extravagances, *fifty* extra workhouses were built. Whatever happened, in the interests of the ratepayer, the workhouse test must be kept up, and a permanent source of expense was incurred to meet an emergency which, however severe at the time, was evidently of a temporary nature, and which, humanly speaking, can never recur.

But out of human folly often comes good. In the multiplicity of quarter occupied houses, lies the solution of the classification difficulty. I have no space for figures and the reasoning to be founded on them, beyond these

figures, that in a Parliamentary return dated 1878, the Local Government Board acknowledged to a housing power of 147,222, and since we recovered from the great famine the largest demand on that housing power has been something under 60,000.

Moreover, the houses were built to suit the necessities of nine millions of people; we are little more than half that now.

In some places there are six and seven workhouses in an area equal in size to others where one workhouse suffices, and all but the large urban ones are more than half empty. In 1879 there were no less than eighty-two houses holding on the average less than 200 inmates, if we except the officials, and twenty-one with less than 100 inmates. Why then should not some of these be handed over for the use of lunatics alone, others used as industrial schools, and others as houses of restraint for paupers of bad character? The ratepayer would suffer little, if at all, in the present, and would effect a considerable saving in the end. The houses are there, the staffs are there, and did space permit I could show how present expenditure could be economized. There would be a certain charge for the carriage of special inmates to greater distances, and the giving the children industrial training would be at first a source of some extra expense. But let us consider briefly the other side of the account.

Take the lunatics. At present every lunatic asylum, properly so called, is overcrowded by the presence of incurable patients. Large sums are called for¹ to add to the size of these establishments; the inmates cost about double what they would cost under the Poor Law, and many of the inmates are of the pauper class, incurable and harmless. There is no conceivable good reason why incurable, harmless, non-paypatients should not be collected into some half-dozen of the houses now used as workhouses. They would have the whole of the house and grounds to themselves, and there would gradually gravitate towards them a staff specially suited to their needs; a very large sum now charged to county cess would be saved; beds

¹ £14,000 has this month (May) been ordered to be expended on the Monaghan asylum alone. Within an area, the radius of which taken from Monaghan is about 15 statute miles, there are four other workhouses—Armagh, Clones, Cootehill, Castleblaney; the housing capacity of the five amounts to 4,624; and the average number of inmates in the year 1877, amounted to 767!

would be set free in the lunatic asylums proper, and there would be additional room in the ordinary workhouses.

Again, take the case of the boys and girls. From the paucity of inmates alone, it is simply impossible to give industrial training, unless it be ruled that tailors alone should come out of such and such houses; shoemakers alone out of such and such others, and so on. In the case of girls, the difficulties are different, but so considerable that a well-meant attempt under particularly favourable circumstances at Cork has, I understand, been given up. It should also be borne in mind that even in convents there are difficulties, and the results of convent bringing up of girls to go out as servants, is not altogether a success. Complaints are frequently made that girls in convents are too tenderly brought up, that they are ignorant of household work, and seem unwilling to learn it. Some lay persons will make no further inquiries about a girl, once they hear that she has been reared in a convent. Now, classification would open out a field to such for becoming inured to some little hardships, and of learning their work. Under our present system, most of the menial work of the workhouses is done by women of bad or indifferent character, they being the only women in the houses sufficiently able-bodied to undertake it.

If classification in its completeness were carried out, and the indifferent characters were removed to houses set apart for their use, and where they could and ought to be subjected to a sharper discipline, there would be a difficulty in getting the menial work of the remaining houses done. But it could be done by elder girls, drafted for the purpose from the industrial schools; and if it were made a rule, that the road to ordinary service should be through these houses, they could be made use of for training purposes. The result would be good for the girls, and good all round.

Lastly, complete classification would leave in the workhouse proper, only the old, the infirm, and occasional accidents of fortune. In all such cases, the *test* could be held in abeyance, a milder discipline allowed, free ingress and egress within certain limits, permission to earn money which should be carefully banked for them. The result would be, that the tone of the houses would be immeasurably raised; and though the happiness of the inmates would also be very much greater, still the natural tone of independence (which a low tone destroys)

would prevent many abuses. The temptation to give outdoor relief, which as a system has been proved to have a tendency not only to increase the rates but to increase the number of those dependent upon others, would meet with a useful check. Penal discipline for the idle and worthless would lessen the number of applicants for relief; and industrial training would enable many to pay rates, who for want of it will infallibly cause rates to be paid.

In regard of industrial training, there is a difficulty which requires probably an Act of Parliament to overcome. Fathers and mothers leaving the workhouses are not only permitted, but are compelled, to take their children with them. Where such parents leave the house with, as may occasionally happen, a fair expectation of being able to maintain themselves and their families, it is essential that they should take their families with them. The institution of the family is one that cannot be improved on; but when, as is more often the case, they leave without reasonable expectation of self-support, the children will, in all human probability, be sacrificed. Now in such a case, there is a want of justice. In the case of every person entering a workhouse, the State has assumed the duty of protecting that person in the enjoyment of his or her elementary and necessary rights.

Every child has an inherent right to be taught the desire and the means of supporting itself in after life. Not only is this so, but the interests of our civilization require that such rights shall be safe-guarded. The State cannot evade the consequences of its assumption of the parental office. Neither to the natural parent, nor to anyone else, can the State with justice surrender its acquired powers, until it has been made manifest that there is at least reasonable grounds for believing, that the child will continue to enjoy its natural and necessary rights.

The parents on bringing their children to the workhouse, admit in the most emphatic manner possible, that they are not able to secure to their children that they shall be taught the means of living, which our complex civilization requires that they should know. The State then assumes the care of the children, and cannot be discharged of its office upon the mere desire of the parents to resume their ordinary mode of life. Hitherto it has been contended that the State has no right to deprive them of the society of their children, or to relieve them of their respon-

sibilities; and furthermore, it has been contended that to do so would be to sacrifice the ratepayer, and put a premium on parental neglect.

It is unnecessary to discuss these contentions, because in passing the Industrial Schools (Ireland) Act, both of them have been practically given up. Among the many qualifications (if I may use the term) required for the admission of a child to an industrial school, is that it shall have been found begging. Now when a child, or its parent for it, knocks at the door of a workhouse seeking admission, what is it doing if it be not begging? It is a mere quibble to draw a line between begging of the State and begging of an individual. The essence of either petitions is an admission of inability to do without assistance. Under the Industrial Schools Act the State takes possession of the child, compels the parent, if possible, to contribute to its support, but allows no interference on the part of the parent. Some such powers are required if the industrial system is to be applied to children in workhouses. And it is required, not only in the interest of the individual child, but in the interest of orphans, or of children whose parents have neither the wish nor the power to remove them, because they are apt, under present circumstances, to be demoralized by the children of those who are constantly running in and out of the workhouses, bringing in with them the moral atmosphere and reek of the streets.

Independently of any amelioration in the condition of the inmates of workhouses, which a system of classification would bring about, there is a slight change in the method of admissions, which, without any of the reforms this paper suggests, could be carried out now, and ought to be carried out.

The areas of relief have not been arranged as they ought to have been, with a view chiefly to the convenience of the poor. Local interests and influences have had too much to say to their delimitation. I have heard of a case where an applicant for relief must turn his back on a workhouse five miles off, to seek relief in another at a distance of fourteen miles! Such a case, and I apprehend a by no means uncommon one, is outrageous in its want of consideration for legitimate needs; and as its mere existence has not sufficed all those years to induce the Local Government Board to redistribute the areas, as it might have done, it is clear that some outside pressure is needed.

But even where the size and configuration of the areas of relief are in every respect satisfactory, the poor have in many cases to travel distances to get their cases inquired into, which would be trying to well-fed persons in full enjoyment of health. Nothing more is required for the purpose of remedying this wrong—for it is a wrong—than the application of a little humanity tempered by common sense. There are in Ireland 163 workhouses and 720 dispensary districts. Why cannot the cases of the poor be investigated in these dispensary centres? Let us suppose that in Ireland there are 6,500 Poor Law Guardians, being about 40 to each Union; then there would be an average of, say, 9 Guardians to each dispensary district—I speak of rural districts. Surely to such a number of Guardians could be conceded the giving of provisional orders of relief, either in-door or out-door; and those provisional orders could be revised once a month by the whole Board at the workhouse centre.

It will be objected that already Guardians find it a tax on their time to attend once a week. But if such a system as I advocate here was adopted, it would not be necessary for them to attend more than once a month. Once a week they would go the very much shorter distance to the dispensary district, and once a month attend the Union meeting. Meanwhile the general business of the Union could be left in the hands of a Committee elected by the Guardians. The work would be much better done, there would be a deeper sense of responsibility, the policy of the Board would gain in stability, and in all probability this change alone would bring the rates down two pence in the pound. On their side the poor would be saved three-fourths of the distance of the journeys they now have to take, often to find themselves rejected. Meetings in the different dispensary districts could be held on different days, and a workhouse conveyance could attend at each to remove the infirm.

MORAL.

What is the moral of this paper? Is it not that in the interests of the poor there is a great work that ought to be done, and that can be done with but little addition to, probably with a diminution of, our present burdens; without dislocation of existing systems; without offending prejudices; without displacement of interests; and that all that is required, is to educate the ratepayer to see and

understand, what humanity and his own interests, rightly understood, require? Who can better take this great work of mercy, of enlightenment, of persuasion, into their hands than the clergy? If the ratepayer come to desire such reforms, who is there that can withstand him?

C. R. CHICHESTER.

ON THE LAW OF CHARITABLE BEQUESTS IN IRELAND.

III.

THE LEGAL DEFINITION OF CHARITY.—(*Continued.*)

“There is, perhaps, not one person in a thousand who knows what is the technical and the legal meaning of the term Charity.”—
LORD CAIRNS.¹

WE may now proceed to a closer inspection of the various purposes, and classes of purposes, which have been recognised by the courts as “charitable.”

At first sight, and when viewed without reference to the principles on which they rest, the judicial decisions which practically constitute the Common Law on this subject, may appear strangely, and indeed hopelessly, inconsistent with one another. Thus, we find it laid down, on the one hand, that a bequest for the supply of a town with spring water is “charitable,”² and, on the other, that a bequest to the (Protestant) Bishop of Durham, to be applied to such “objects of benevolence and liberality” as he should most approve of, is not “charitable.”³ A bequest “to Her Majesty’s Government in exoneration of the national debt” is “charitable;”⁴ a bequest to a friendly society in aid of its funds is not “charitable.”⁵ A bequest to erect or to keep in repair a tomb or monument within a church or chapel is “charitable;”⁶ a bequest for erecting and keeping in repair a monument in a churchyard is not

¹ *Dolan v. MacDermot*, Law Reports, 3 Chancery Appeals, 678.

² *Jones v. Williams*, Ambler, 674.

³ *Morice v. The Bishop of Durham*, 9 Vesey, 399.

⁴ *Newland v. The Attorney-General*, 3 Merivale, 684.

⁵ *In re Clark’s Trust*, 1 Chancery Division, 497.

⁶ *Hoare v. Osborne*, Law Reports, 1 Equity, 585; *Dawson v. Small*, Law Reports, 18 Equity, 114.

“charitable.”¹ Again, a bequest for the purchase of meat and wine fit for the service of the Passover,² a bequest for the recitation in the Synagogue of a Hebrew prayer called Candlish, on every anniversary of the testator’s death,³ and even a bequest for the distribution of Johanna Southcote’s works,⁴ have been judicially recognised as “charitable;” but a bequest “for adorning or dressing a figure of the Virgin Mary” is not “charitable.”⁵ And it is essential to observe that this last mentioned decision in no way rests on any principle of hostility to the Catholic religion, as may be seen from the fact that in numerous instances the courts have recognised as “charitable,” bequests such as the following—“To the Roman Catholic Priest of N. and his successors;”⁶ “to His Holiness the Pope and his successor;”⁷ “to the poor and ignorant inhabitants of the parish of N. for the promotion of the Roman Catholic religion among them.”⁸

But without further multiplying instances that may tend to create the erroneous idea that the state of this branch of the law is as complicated and unsettled, as it is in reality both clearly and minutely defined, let us look rather to the principles which underlie these apparently conflicting decisions, and which determine for each class of bequests its place in a well-regulated system of law.

We have seen in a former Paper that the general outline of the limits of the class of “charitable” purposes, as distinct from those that are in the legal sense non-charitable, is traced by the enumeration of certain “charitable” purposes in the statutes, 43rd of Elizabeth, c. 4, and 10th of Charles I., sess. 3, c. 1, and that for a more detailed exposition of the distinction we must refer to the body of judicial decisions, based upon those statutes, and constituting the Common Law on the subject.

From the multiplicity of those decisions, and the vast range of the various charitable “uses” with which they deal, it is a matter of some importance in our exposition to proceed on the lines of some well-devised classification or

¹ *In re Rigley’s Trusts*, 15 Weekly Reporter, 190.

² *Straus v. Goldsmid*, 8 Simons, 614.

³ *In re Michel’s Trust*, 28 Beavan, 39.

⁴ *Thornton v. Howe*, 8 Jurist (New Series), 663.

⁵ See *Heath v. Chapman*, 2 Drewry, 425, 426.

⁶ *Thorner v. Wilson*, 3 Drewry, 245; 4 Drewry, 350.

⁷ *Donnellan v. O’Neill*, Irish Reports, 5 Equity, 523.

⁸ *West v. Shuttleworth*, 2 Mylne & Keen, 684.

grouping of them. In a standard treatise on an important branch of our general subject,¹ the following classification is adopted of the headings under which all legally recognised charitable purposes may be grouped:—

1. Relief of the poor ;
2. The advancement of learning ;
3. The advancement of religion ;
4. The advancement of objects of general public utility.

It may be useful to subjoin a few examples in illustration of each branch of this division.

1. RELIEF OF THE POOR.—Under this heading, the following have been held to be technically “charitable” purposes:—

(a) Relief of “the poor” generally. But in this case, as no sufficient allocation of the bequest was made by the testator, it was held that the Sovereign, as *parens patriae*, should have the allocation of the fund.²

(b) Relief of “the poor inhabitants of the parish of N.” In the interpretation of a bequest of this form, an interesting distinction was made by the court. For it was held that it could not have been intended by the testator that “the poor inhabitants who were *relieved by the parish*” should have the benefit of the legacy, inasmuch as this in effect would be “giving to the rich and not to the poor.” The court, then, declared that the distribution of the legacy was to be confined to “the poor inhabitants of that parish *not receiving* [parochial] *alms* ;” and a scheme to regulate the distribution on this principle was directed to be drawn up for approval.³ It is in no way inconsistent with the decision thus given, that in another case, to be noticed in detail as we proceed,⁴ a bequest in favour of a certain parish, “*in aid of the rate for the relief of the poor*,” should have been upheld as charitable.⁵

(c) Other objects mentioned as charitable by writers of authority, or affirmed to be so by judgments of the courts, are: “poor housekeepers”; “the poor of a workhouse”; “the poor maintained in the N. hospital”; “the poor

¹ Shelford's *Practical Treatise on the Law of Mortmain* (London, 1836), page 61.

² *Attorney-General v. Peacock*, Finch. 245; *Attorney-General v. Mathews*, 2 Levinz, 167.

³ Shelford, page 63.

⁴ See *infra*, pages 386, 387.

⁵ See Shelford, pages 63-68; 1 Jarman on Wills, pages 213, 214.

widows and children of seamen belonging to the port of N."; "old decayed tradesmen"; etc., etc.¹

(d) In the numerous cases of legacies in favour of "poor relations," the decisions given may at first sight seem to be contradictory; as, for instance, when we find it decided, on the one hand, that a legacy *payable once for all* to poor relations is not charitable, while on the other hand, *the establishment of a fund* for the perpetual benefit of poor relations has frequently been upheld as charitable.² By attending, however, to an important principle of law, which underlies these decisions, we may see that they are by no means inconsistent with each other. The principle in question—and it is indeed one of fundamental importance—is that charity, in its legal sense, implies a gift for a purpose having in some way the character of a *public* or *general* use.³ Now a bequest in favour of a number of existing individuals, connected by kinship with the testator, is naturally regarded as wanting in this requirement, for in such a case mere *personal consideration*, rather than "charity" in the legal sense, may fairly be presumed to be the motive of the gift. The extension of the bequest, however, to kinsmen *for ever*, or for so long as the fund may last, may be not unfairly regarded as in some sense lifting it out of the class of gifts influenced by merely personal consideration, and as investing it with something of a more general character. Such bequests, then, have been judicially recognised as charitable. And it is important to add that even in the case of a legacy payable once for all, the bequest will be regarded as charitable where the context can be taken as showing that "charity," in the sense explained, and not mere personal consideration, was the prevailing motive of the gift. Thus, in a case where the words of the bequest were, "to poor relations and such other objects of charity as should be in my private instructions to my executor" (no such instructions having, however, in fact been given), the Court held that the bequest was charitable.⁴

2. THE ADVANCEMENT OF LEARNING.—Under this heading we may place the following as instances of bequests which have been recognised as "charitable:"—

"To maintain the schoolmaster of the town of N."; to

¹ See Shelford, page 62; Hamilton, pages 14, 17; 1 Jarman on Wills, page 209.

² See Shelford, pages 63–68; 1 Jarman, pages 213, 214.

³ See *Jones v. Williams*, Ambl. 651. ⁴ See Shelford and Jarman, *ibid.*

build a school ; to erect a free grammar school ; “ for and towards the establishing of a school in N.” ; for the perpetual endowment or maintenance of two schools.¹

As is manifest from the wording of the statutes quoted in a former paper, it is in no way necessary that the school or place of education in question should be exclusively, or even mainly, for the benefit of the poor. Both in the English and in the Irish Act,² the provision regarding the erection and maintenance of “ schools,” is altogether distinct from that which regards the relief and maintenance of “ the poor.” Indefinite words, such as “ schools of learning,” manifestly include all such schools, whether established for the benefit of the poor or not. And so, from many of the decided cases, we learn that when there is question of “ the advancement of learning,” to constitute a “ charity ” in its legal sense, the poor need not be its sole, nor its especial objects. Thus in one typical case, a school “ for the education of gentlemen’s sons,” was treated as a “ charitable ” institution within the meaning of the statute.³

The essential ingredient, in fact, to constitute a charity in the legal sense is that there should be a gift to a *general public use*,⁴ and this of course may extend to gifts that favour the rich also, as well as to those that favour only the poor.

Among other “ charitable ” purposes that may be classed under this heading, we meet with the following :—The foundation or augmentation of a fellowship, a lectureship, or a scholarship, in the universities ; the foundation of prizes for essays ; and the benefit of a college generally.⁵

Until a somewhat recent date, institutions for the education of persons in the Catholic religion, and Catholic schools and colleges generally, were illegal, and consequently could not be recognised in law as “ charitable.” The “ Toleration ” Acts, whether the English Act of 1689, or the Irish Act of 1719, were passed for the relief of “ Protestant ” Dissenters alone. Hence it is that in the Act, 35th of George III., chapter 21st, by which the College of Maynooth was founded, we find a distinct recital that by the law then in force in Ireland

¹ See Shelford, pages 68-71 ; Jarman on Wills, vol. i., page 210.

² See I. E. RECORD (Third Series), vol. vi., n. 5 (May, 1885), pages 280, 284.

³ See Shelford, page 70 ; 1 Jarman on Wills, page 210.

⁴ See *Jones v. Williams*, Ambler, page 651.

⁵ See Shelford, *ibid.* ; Jarman, *ibid.*

it had not been *lawful* to endow any college or seminary "for the education exclusively of persons professing the Roman Catholic religion." And plainly the establishment of this one College was not held to effect a change in the law generally, for in a somewhat remarkable case dealt with in the Irish Court of Chancery in 1808, regarding a bequest from a Mrs. Power, a Catholic lady, to the Catholic Archbishop of Cashel and the Catholic Bishop of Waterford, for the clothing of the poor children in the school of "The Nunnery in Waterford," the Lord Chancellor (Lord Manners) explained the law as follows:—"Such a bequest, by way of endowment, of a Roman Catholic school would by the law of England be deemed void . . . I might from the terms of this bequest *presume* it to be an endowment of a Catholic school. I shall not, however, act on the presumption, but refer it to the Master to inquire and report the character and description of the school."¹ And of a further bequest in the same will, "for the support and education of poor boys," the Lord Chancellor, speaking of the two Catholic Prelates who were named as trustees, said:—"They may continue to act . . . I am very certain they will act with such liberality as to make no distinction between Protestant and Roman Catholic boys, and will not render it necessary for this Court to control them; which, if there be anything in the doubts I have suggested, this Court will be bound to do, should they confine the charity to the education of boys exclusively in the Roman Catholic religion." And after some further exposition, he added:—"It is very doubtful at least whether the law of this country as to *the endowment of a Catholic school* differs from the law of England, by which such an establishment is *illegal and void*."²

All doubt, however, on the subject has since been removed. In 1832 an Act of Parliament (2nd and 3rd of William IV., chapter 115) was passed, extending to Roman Catholics the benefit of the legislative protection for charitable and other purposes, secured for Protestant Dissenters by the Toleration Act. The words of the statute are that "His Majesty's subjects professing the Roman Catholic religion should, in respect to their schools, places of religious worship, education, and *charitable purposes*, in Great Britain, and the property held therewith, and the

¹ *Attorney-General v. Power*, 1 Ball and Beatty, p. 150.

² *Ibid.* page 153.

persons employed in and about the same, be subject to the same laws as the Protestant Dissenters." This Act regarded Great Britain only. But from the uniform decisions of the courts, if not from express legislative sanction, it is now quite free from doubt that in Ireland also, Catholic schools, colleges, and other charitable institutions, as such, are in no way subject to disability as regards their legally "charitable" character, and are as fully recognised in this respect as the institutions of any other religious body in the kingdom.

3. THE ADVANCEMENT OF RELIGION.—From the concluding observations just made under the second heading, it is clear that we are here to understand by "religion," not merely the Protestant religion, which is the religion of the British Constitution, but also the Roman Catholic, and, in a word, every form of religion that is even *tolerated* by the State.

By the statutes 9th and 10th Victoria, chapter 59, and 18th and 19th Victoria, chapter 86, bequests for the benefit of the Jewish religion are expressly recognised as "charitable."

Under this third heading, then, we may place the following bequests which have been dealt with by the Courts as "charitable":—

"For the expenses of an annual sermon, with fees to the preacher, the clerk, and the pew-openers"; "for keeping in repair the chimes of a church"; "for keeping up an organ, and for the payment of the organist"; "for repairs, furniture, and ornaments of a church"; "to build or repair a vicarage"; "for the distribution of bibles," &c., &c.¹

So also we find the following:—"For poor dissenting ministers"; "to the Roman Catholic priest of N. and his successors"; "to His Holiness the Pope, and in the event of his dying before the testator, then to his successor"; "to the poor and ignorant of the parish of N., for the promotion of [the Roman Catholic] religion among them."²

In conformity with the fundamental principle already more than once referred to, the "charitable" character of a religious bequest depends upon its being, to some extent, of the nature of a *public* or *general* use; in other words, it must be of such a nature that its execution is calculated to confer a benefit upon the public, or upon some

¹ See Shelford, p. 71; 1 Jarman, p. 209; Hamilton, p. 22. ² *Ibid.*

section of the public. Thus, for instance, bequests in aid of mere private devotion, or for the spiritual benefit merely of individuals as such, are not recognised as "charitable"—the policy of the law in this, as in the other sections which we have hitherto examined, being to look to the general good of the community, or of some section of it.

It is also to be observed that the legal recognition of the "charitable" character of bequests for religious purposes, in the case of "dissenting" bodies, whether Protestant or Catholic, extends not merely to those cases in which the particular object specified is the maintenance of a minister, or of his residence, or of a place of religious worship, but also to those in which the bequest is for the express object of *propagating the religious opinions* of the community or sect, provided only that these opinions, however completely they may be at variance with the doctrines of the Protestant church, are yet *not contrary to law*.¹

Thus, then, a bequest for the propagation of the Roman Catholic religion is unquestionably "charitable," and in a case where the bequest was to the well-known Society for the Propagation of the Faith, this has been recognized in the Courts. But a bequest of a sum of money for printing and promoting the circulation of a certain treatise inculcating the doctrine of the absolute and inalienable supremacy of the Pope in ecclesiastical matters (this doctrine being at variance with the legal recognition of the ecclesiastical supremacy of the Sovereign in the British dominions), has been held to be illegal, and consequently not "charitable" in the legal sense.²

Under this heading it remains only to state the principle on which, as already mentioned, the case of a monument has been differently dealt with, according as there was question of a monument in a churchyard, or of one placed in a church or chapel. In the former case there is manifestly nothing to invest its erection or repair with a "charitable" character: a monument being, of its nature, nothing more than a tribute to the worth of some deceased individual. But a monument may be erected so that it can be regarded as a portion of a building, such as a church or chapel, the erection, decoration, or repair of which is "charitable" by the express provision of the Statute of Elizabeth; and

¹ See Jarman on Wills, vol. i., page 206. ² See Jarman, p. 206.

in this view, the erection of a monument within a church or chapel has in several cases been regarded by the Courts as a "charitable" purpose.¹

4. THE ADVANCEMENT OF OBJECTS OF GENERAL PUBLIC UTILITY.—This probably is the heading under which it will be found most strikingly manifested how widely the legal technical sense of the term Charity differs from its ordinary popular acceptation.

The following purposes, all of which have been judicially recognised as "charitable," may be taken as presenting a sufficiently clear general outline of this fourth and last section into which the subject of charity in the legal sense has been divided. From their enumeration it will be seen that in such cases as the following the promotion of the general good of a public community is of itself sufficient to constitute a legal "charity":—

"To buy and maintain a life-boat for the town of N.;" "to supply the town of N. with spring water"; "to keep up a public garden"; "to pay part of the taxes levied on the town of N.;" "to pay part of the national debt."²

So also grants of lands and revenues vested in the Corporation of a town for various public uses and purposes, such as the paving, lighting, cleansing, and improvement of the town, the erection of water-works, the repair of public bridges, roads and highways, are clearly "charitable" in the legal sense, within the Statute of Elizabeth,³ and have in numerous cases been judicially recognised as such.

And this may be a convenient place to point out how in reality there is no inconsistency between two apparently inconsistent decisions already mentioned.⁴ In one of these a bequest "for the relief of the poor inhabitants" of a certain parish was, as we have seen, interpreted by the Court so as not to include those poor inhabitants who were *relieved by the parish*, inasmuch as extending it to those who otherwise were dependent upon parochial relief would be a relief of the poor-rate or other parochial burdens, and would thus be "giving to the rich and not to the poor." Yet the other case, of which indeed there is more than one example, a bequest left expressly "*in aid of the rate* for the relief of the poor," was upheld as charitable. These decisions,

¹ See Jarman, p. 211.

² See Shelford, p. 75; 1 Jarman, p. 209.

³ See I. E. RECORD (Third Series), vol. vi., n. 5 (Jan. 1885), page 280.

⁴ See page 380.

however, are in no way inconsistent. In the former there was question of a bequest, not in favour of *the parish generally*, but in favour of *the poor of the parish*. The judicial decision, then, regarded solely the interpretation of the bequest as thus made. It by no means implied that a valid charitable bequest might not be made for the relief of *the parish generally*, by a gift in aid of the poor-rate or other parochial burthens. Indeed from what has just been explained in the preceding paragraphs, it is manifest that a bequest so made should of necessity be regarded as "charitable." But it would be "charitable" as a public or general benefit to *the parish*, and not as a benefit conferred specially on "the poor."

Thus, then, we see how the two decisions in question fit in with one another. It is one thing to shut out as inadmissible a particular interpretation of a bequest which has been made expressly in favour of "the poor" of a parish, and a totally distinct thing to lay down that, outside the limits thus laid down, a bequest which has been made, not specially in favour of "the poor" of the parish, but in favour of *the parish generally*, would not be a valid charitable bequest. And so the matter was judicially explained in a comparatively recent case, in which the application of a certain charitable bequest to purposes usually defrayed from the poor-rate of the district, was sought to be interfered with as inconsistent with the former of the two decisions mentioned above. It was then pointed out by the Master of the Rolls (Lord Romilly) that a valid charitable bequest tending to the relief of the poor might be made in either of the two ways: "whether for the relief of the poor, *in aid of the poor rate* and other parochial burthens (as was the case in the bequest then before the court)," or "for the relief of the poor" only, wholly independent of any reference to the relief of the poor-rates or other parochial burthens. In either event the bequest would be a valid charitable bequest. But in the former case it would be a bequest in favour of "the parish" generally: in the latter case it would be a bequest in favour exclusively of "the poor" of the parish; and as a matter of course, it is in the latter, and not in the former, sense, that a bequest simply in favour of "the poor" of the parish should be interpreted.¹

¹ See *Attorney-General v. Blizzard*, 21 Beavan, page 248.

From the exposition, then, thus far set forth, we may infer as a definition of a "charitable" bequest, in the legal sense, sufficiently accurate at least for the purpose of these Papers, that it is a bequest for some purposes which, in the sense more than once explained in the preceding pages, is in the nature of "general" or "public" use, tending (*a*) to the relief of the poor, (*b*) to the advancement of learning, (*c*) to the advancement of religion, or (*d*) to the advancement of objects of general public utility.

And so it has invariably been held that a bequest of a fund was not "charitable," where it was left "to be given in private charity." For, as the Master of the Rolls (Sir Thomas Plumer) pointed out, "there is no case in which 'private' charity has been acted upon by the Court . . . The charities recognised by the Court are public in their nature."¹

On this principle, a bequest in favour of a certain "friendly society" was held not to be "charitable." For, as it was argued, such a society was in reality a "private assurance company." "The members," said Vice-Chancellor Hall, in giving judgment in the case, "were to provide by subscriptions and fines a fund to be distributed for their mutual benefit in cases of sickness, lameness, or old age. Poverty of the member at the time of his sickness, or lameness, or old age, was not required to entitle him to an allowance." "It appears to me," concluded the Vice-Chancellor, "the society was not a charitable institution."²

And relying with approval on this decision, the English Court of Exchequer has since decided that a bequest in favour of a certain "Athenæum Mechanics' Institution" was not "charitable," it having been decided in the former case that "an institution for *mutual benefit* is not a charity," and the Mechanics' Institution in question being "a species of club in which a number of persons come together for literary purposes and mutual improvement."³

The practical application of the legal definition of "charity," as thus ascertained, will be found, as we proceed, to present some points of interest.

WILLIAM J. WALSH.

¹ See *Ommaney v. Butcher*, Turner and Russell, page 260.

² *In re Clark's Trust*, 1 Chancery Division, page 497.

³ *In re Dutton*, 4 Exchequer Division, page 57.

MARY STUART AND ELIZABETH TUDOR.

IN Henry the Seventh's Chapel, Westminster Abbey, is deposited a handful of dust, all that now remains of the peerless and beautiful Mary Queen of Scots. As she was the centre of contention during life, so, now, almost three hundred years after her murder, the tumult of controversy is heard above her grave. Robertson, Abbot, Doran, Thackery, Dickens, Scott, not to mention a host of fanatical anti-Catholic writers, have branded her as a murderess and an adulteress; as a wicked, abandoned woman whose sufferings were a just punishment for her crimes. Catholics, on the contrary, have always looked upon Mary Stuart as the embodiment of what is good, and noble, and heroic; as the innocent victim of unexampled calumny and outrage. Late researches, as we shall see presently, have confirmed the latter and more charitable view, dispelling any shadows which still hung above the grave of Scotland's most beautiful and most unfortunate Queen, the world-renowned Mary Stuart.

Mary was born in the Palace of Linlithgow, not far from Edinburgh, on the 7th of December, 1542. The clouds of strife, discord, and misfortune gathered even above her infant cradle, for the same notes which rang in an heiress to the Scottish Crown rang out the life of "the poor man's king," and Mary's father James V. "From the tall cataract-guttered hills," writes MacLeod, "where sleeps the eternal snow—white, cold, and silent, from the purple moorland where the bee hums in the summer, and the stately ptarmigan and the black-cock lurk and brood; from the glen upon whose sides the tentined stag feeds with uplifted ears; from the still loch, silver or black, or 'burnished sheet of living gold,' as God's shadow, or sun, or moonlight chanced to fall upon it; from the rough river where golden salmon leap against the rapids; from clusters of larch or fir tree stirred by the northern breeze came the full sound of joy and pain—James is dead, but Scotland hath an heir."

England's Bluebeard, Henry VIII., solicited the hand of the infant Queen first for himself and then for his son Edward. Mary of Lorraine, the Queen Dowager, refused both requests, and as Henry, whose manner of wooing was somewhat rough, had sent an army to seize the child, she had to be carefully guarded, first in the Castle of Linlithgow, and then in the Island of Inchmahone, under the

shadow of Ben Lomond. In her fifth year Mary Stuart was sent to France. She had already been betrothed to Francis, eldest son of Henry II., and so to put her beyond the reach of England as well as the traitors in Scotland, whom gold had purchased, Mary of Lorraine sent her child away from her. On the morning of her departure as she stood with her four Maries beneath the "castled crag" of Dumbarton an eye-witness described her as "one of the most perfect creatures the God of nature ever formed."

Mary remained in France during fourteen years, and this was the happiest period of her life. She was endowed with first-class abilities. She had an hereditary passion for poetry and music, and acquired an extraordinary proficiency in both. George Buchanan made her one of the best Latin scholars of the age. Rousard instructed her in poetry. Her warrior kinsman, the Duke of Guise, made her a bold and graceful rider, while with all her applications to study she found time to make herself the best dancer in the French court; so her beautiful, pure, happy life glided on, as glides the crystal stream, through verdant lawns and undulating meadows, with scarcely a pebble in its course to disturb its silent meanderings.

On April 22, 1558, Mary was married to the Dauphin, afterwards Francis II. Her husband was a drooping, delicate boy, and in December, 1560, after a reign of seventeen months, the white hands of Mary Stuart closed his eyes for ever. Her dead husband was only seventeen years old, and the pale and drooping widow bending over his bier was only thirteen months older. When the days of mourning for her boy-husband were passed, Mary quitted the land of her love and happiness, fair France, and set out for Scotland. While a speck of the French hills was visible she stood upon deck, her eyes blinded with tears, exclaiming again and again, "adieu, France," "beloved France, adieu," and the parting song which she composed in her cabin is prized to this day for its poetry, melody, and sweetness.

Mary's appearance at this time seems to have been something more than human. The Wizard of Abbotsford, Sir Walter Scott, who has been much interested by Mary's misfortunes, thus describes her: "Who is there that at the very mention of Mary Stuart's name has not her countenance before him, familiar as that of the mistress of his youth or the favourite daughter of his advanced age. That brow so truly open and regal; those eyebrows so graceful which

yet were saved from the charge of regular insipidity by the beautiful effect of the hazel eyes which they overarched, and which seem to utter a thousand histories; the nose with all its Grecian precision of outline; the mouth so well-proportioned, so sweetly formed, as if designed to speak nothing but what was delightful to hear; the dimpled chin, the stately swan-like neck form a countenance the like of which we know not to have existed in any other character moving in that class of life where the actresses as well as the actors command general and undivided attention."

This is the queenly form visible on deck amid the gathering gloom of evening wistfully looking back to the land she is leaving—

"The past was bright like those dear hills so far behind her barque,
The future like the gathering night was ominous and dark."

And now while night broods over the waters and Mary's seamen try to elude the warships of her kind sister and cousin Elizabeth, we shall hasten before and see what kind of reception awaited her in Scotland.

Three causes conspired to make Mary's position in Scotland anything but a bed of roses. The angry tide of the Protestant Reformation had poured its waters upon Scotland with unexampled fury. During many generations the highest dignities in the Scottish Church had been possessed by the illegitimate sons of the most powerful nobles. Thus James V., Mary's father, had provided for his five illegitimate sons by making them commendatory Abbots of Holyrood, Kelso, Melrose, Coldingham, and St. Andrews. Such a state of things disgusted the people, and when the Reformers came, dexterously seasoning their dogmatic teaching with invectives against the clergy, the common people flocked around them in immense numbers. The great pioneer of the Scottish Reformation was John Knox. He had been a Priest, but after a little experience found it more convenient to cast aside his religious vows and marry a wife. Like all renegades he had an unconquerable hatred for the Church which had cast him out. Rude, unpolished, uncultivated, with a tongue rarely equalled in coarse scurrility except perhaps by his master Martin Luther, Knox poured out all the venom of his constitution upon poor Mary Stuart. "Jezabel" was the gentlest nickname which this apostle of peace could find for her. When she proclaimed liberty of conscience for all her subjects, John Knox burst forth into the following strain of chaste evan-

gelical eloquence:—"The Queen took upon her greater boldness than she and Balaam's bleating priests durst have attempted before, and so murderers, adulterers, thieves, w——s, drunkards, idolaters, and all malefactors got protection under the Queen's wing under colour that they were of her religion, and so got the devil freedom again." When Mary assembled a Parliament, and attended it in royal robes, this same apostolic lamb cried out: "Such stinking pride of woman as was seen at that Parliament was never before seen in Scotland."

There was another man in Scotland more powerful and more dangerous to Mary than even John Knox. This was her illegitimate brother James Stuart, afterwards the Regent Murray. He was made Commendatory Prior of St. Andrews by his father James V., but his ability, ambition, and cunning, soon raised him to a far higher post, and made it the darling object of his life to push his sister off the throne and seat himself in her place. It would be difficult to give a truer analysis of his character than that found in Professor Aytoun's magnificent ballad "Bothwell."

"Get thee across the howling seas and bend o'er Murray's bed,
For there the falsest villain lies that ever Scotland bred:
False to his faith, a wedded priest, still falser to the crown,
False to the blood that in his veins made bastardy renown,
False to his sister whom he swore to guard and shield from harm,
The head of many a felon plot but never once the arm.
What tie so holy that his hand hath snapped it not in twain,
What oath so sacred but he broke for selfish end or gain,
A verier knave ne'er stepped the earth since this wide world
began,
And yet he bandies texts with Knox and walks a pious man."

Mary's third source of sorrow was the bitter, persevering, relentless hatred of Queen Elizabeth. At the time of her marriage with the Dauphin, the Scottish Queen had adopted as her device the Crowns of France, Scotland, and England, while in her travels through the country the French populace were wont to shout: "Long live the Queen of England." No person can deny, that Mary being great-granddaughter of Henry VII. had a better right to the English crown than the illegitimate daughter of Henry VIII. and Anne Boleyn. Elizabeth never forgot, never forgave that fact, and the vengeance which she wreaked upon Mary Stuart in punishment of it is unexampled in the records of human atrocity.

Hard cards were these for a young widow of eighteen

summers to handle skilfully, but Mary had small time for contemplation, for scarcely had her foot touched the shore at Leith when her subjects—friends, foes, and traitors—crowded down to conduct their young Queen to Holyrood. During three blessed days and as many nights the refined musical ear of Mary Stuart was treated to the harmony of creaking fiddles, Scotch bagpipes, and nasal psalmody, the discordant symphony drawing from one of her French attendants the exclamation, “*Hé, quelle musique.*”

A crowd of suitors now claimed the fair hand of Mary Stuart. Don Carlos, Charles of Austria, Eric King of Sweden, the Duke of Ferrard, the Prince of Conde, the King of Navarre, and the Duc D'Amville were among the number. Elizabeth, mortally jealous of her fairer and more admired rival, recommended her own paramour, Dudley Earl of Leicester. Mary, who had no rival in cleverness as she had none in beauty, smilingly answered the English ambassador: “I take it rather as a proof of her good will than of her sincerity, seeing she so much regardeth him herself, that it is said, she may not well spare him.” Then acting upon the advice of her most valued counsellors she gave her hand to her cousin Henry Stuart Lord Darnley. He was about the worst husband Mary could have selected. He possessed a handsome exterior, but that was his only adornment, and a few months had scarcely passed when he joined in a conspiracy to drive his wife from the throne. There was about the court a little hunchbacked Italian named David Riccio, who overheard the conspirators, and gave information to the Queen. He was immediately marked out for destruction, and upon a certain night while Mary was at supper, a band of assassins in Murray's pay burst into the palace and murdered Riccio at the very feet of the Queen, leaving fifty-six dagger wounds in his body. They next turned their attention to Lord Darnley, and one night as he lay prostrated with small-pox at one of Mary's residences called “*Kirk-in-the-fields,*” there was a loud explosion of powder, previously concealed in the cellars, sending stones, timber, and massive iron work far into the lurid sky, and the soul of Lord Darnley before his God.

Then the pious Earl Murray played his last trump card, and won. One of Darnley's most conspicuous murderers was James Hepburn, Earl of Bothwell; and although Mary had him tried for the crime, his fellow-nobles refused to convict him. Now while Murray's paid spies industriously din into the popular ear that Mary was at the bottom of

Darnley's murder, the Earl himself strains every nerve to bring about a marriage between the Queen and the chief murderer. For, surely, if Mary marries Bothwell, there will be a howl of indignation throughout the length and breadth of Scotland, and James Earl Murray can at length reach the goal of his ambition—the throne of his sister. Of course the Queen would rather die than marry the blind, deformed, blood-stained Bothwell, of her own free will; but this formed no obstacle to the designs of the conspirators. The Castle of Dunbar was carefully fortified and manned, while the spiteful English Queen was joyously informed by her ambassador Drury, that Earl Bothwell had good work in hands, “of the which I believe I shall soon be able to advertise the more certainly.” Poor unsuspecting Mary Stuart, with a handful of attendants, went to Stirling to visit her son. On her return, Bothwell overpowered her guards, and carried her off to Dunbar. During twelve days she rejected with loathing all his advances; and then, in the words of MacLeod, “he used physical force, and committed upon his Sovereign the greatest outrage that woman can suffer.” Of course the conspirators have everything their own way now. Bothwell has to fly the country, and poor, hapless, friendless Mary Stuart, stripped of her royal robes, and clothed in a coarse woollen cassock, is carried over the dark waves of the Frith of Forth, and lodged in the Castle of the Douglas, frowning grimly over the deep waters of Loch Leven.

Then the godly Earl Murray, that man after John Knox's own heart, came home to Scotland, and mounted the throne from which his sister had been dragged. As it was by defaming that sister he had gained his ends, so now to render his position secure, the work of slander and falsehood was pushed on more rigorously than ever. Elizabeth's gold was at his disposal, and with it he bribed Buchanan, Mary's preceptor, and Maitland, her secretary, to aid him in the good work. Eight letters, and several amorous sonnets, are most opportunely discovered—the outpourings of Mary Stuart's affection for Bothwell—carefully stowed away in a small gold casket, the gift of her boy-husband, the dauphin, and sent on as evidence of her guilt to that paragon of virginity, Elizabeth Tudor.

In a future paper we shall see how time has laid bare the guilt of her enemies, and the innocence of Mary Stuart in this transaction, merely remarking here, that even

Elizabeth, when this purloined casket, with its spurious contents, was brought before her, scouted the evidence out of court, and pronounced Mary Stuart guiltless of this charge at least.

From the morning of her entrance into Loch Leven, until that of her death, a period of over twenty years, Mary Stuart remained a captive. Once, indeed, she escaped, and the nobles of the land rallied around her; but her forces were scattered by Murray on the slopes of Landside, and, as the poor hare will sometimes seek the kennel for protection, so Mary Stuart flung herself into the arms of Elizabeth. Murray may now sleep in peace; England's Queen has within her grasp the woman she most hated—one whose peerless beauty and stainless origin had so often soured the disposition of the withering English spinster. The lamb is between the forepaws of the hungry tigress; and though she may play with it for a little, the most casual observer can see that she means to tear out the very heart-strings of her victim. During eighteen years and nine months that victim wasted and pined in the prisons of England. She entered them a beautiful woman of twenty-five. She left them broken and faded; her hair, once a glossy chestnut, white with the chill mould of captivity. But, as her earthly beauty fades, a celestial loveliness begins to envelop her. The dim outline of a martyr's crown plays about her temples; the brightness of a land beyond the realms of space lights up her features; and the strength which the heavenly bridegroom gives to those he loves, makes her form stately as ever, her step elastic as in days of yore.

Mary Stuart must surely die. Nothing else will satisfy the wolfish craving of Elizabeth Tudor. But what about posterity? Who knows but in years to come certain impertinent persons might condemn the act, and pillory the fair fame of England's Queen. Oh! will not some greedy underling take Elizabeth out of the difficulty? Yes, there is a fanatical old puritan, Mary's jailer, and, no doubt, at a wink from the Queen, he will smother or poison his prisoner, or break her neck down four flights of stairs, as Leicester broke that of his lawful wife. So Elizabeth pens the following sweet note to the jailer, Sir Amyas Paulet:—

“TO MY LOVING AMYAS,

“Amyas, my most careful and faithful servant, God reward thee treblefold for the most troublesome charge so well discharged.

If you knew, my Amyas, how kindly my grateful heart accepts and praiseth your spotless endeavour and faithful action performed in so dangerous and crafty a charge, it would ease your travail and rejoice your heart, in which I charge you to carry this most instant thought that I cannot balance, in any weight of my judgment, the value that I prize you at, and suppose no treasure can countervail such a faith."

Poor Paulet could not fathom the meaning of so many honied words, but a letter from Secretary Walsingham made the Queen's meaning as clear as crystal. "We find by a speech lately made by her Majesty that she doth note in you a lack of that care and zeal for her service that she looked for at your hands, in that, you have not in all this time found out some way to shorten the life of the Queen of Scots." But Paulet refuses to do the deed, so Elizabeth signs the warrant for Mary's execution, and when Davison, her secretary, meaningly inquires: "Does your Majesty mean to proceed with the execution?" To her everlasting disgrace Elizabeth howls back the answer: "Yea, by God."

The morning of the eighth of February, 1587, dawned dark and dismal upon the towers of Fotheringay Castle. Within the castle the scene was even more gloomy than without. Queen Mary's servants, hid away here and there, burst out occasionally into deep sobs, for the kindest mistress of whom history gives a record was about to spill her blood upon the scaffold. The mistress herself, calm and recollected, had spent the entire night in prayer. Elizabeth refused her the consolation of a priest, and so Mary left to her own resources has laid bare her heart before her God. The death-bell begins to toll, and Mary Stuart, dressed in her richest robes, a crucifix in her right hand, a prayer-book in her left, and a beads at her girdle, follows her conductors into the hall of execution. The hair, once chestnut, is white as snow; the hazel eyes have lost much of their lustre; the swan-like neck is bent in supplication, but the tall queenly form and stately carriage are remarkable as ever. Scarcely has she stepped upon the scaffold when Dr. Fletcher, Protestant Dean of Peterborough, begins a godly sermon, exhorting her to forsake popery and superstition, "in which continuing she must be damned." Mary, absorbed in prayer, turns her back upon the preacher, and holding the image of her Saviour before her eyes, exclaims: "As thy arms, O my God, were stretched out upon the cross, so receive me into the

embrace of thy mercy, and forgive me my sins." Then she is led to the block, and after three strokes of the headsmen's axe, the emancipated spirit of Mary Stuart, never again to be confined by prison bars, sprang aloft through the amber vault of heaven into the arms of that God through love of whom she had spilled her blood.

THOMAS CONNELLAN.

LITURGY.

VOTIVE MASSES.

VII.—*Votive Masses of Feasts celebrated throughout the Year.*

We have already dealt with four classes of Masses that are Votive. But besides these there are many other Masses that may be said as Votive. We think the following to be as clear a way as is possible, of indicating the Masses that may, and those that may not be said as Votive:—All the Masses celebrated throughout the year in any country may be said as Votive¹ in the same country, except:—

- (1) The Masses of Sundays and Ferias.²
- (2) The Masses of those who have been Beatified but not Canonized.³
- (3) The Masses of the Feasts of the B.V.M.,⁴ unless special provision be made in the Missal itself for their being said as Votive. Such provision is made in the case of only two, viz., the Masses of the Seven Dolours and of the Immaculate Conception.

However, within the Octave of any Feast of the B.V.M., the Mass of that Feast may be said as Votive, if the day permit a Votive Mass, and the Office be not of the Octave; in fact, no other Votive Mass of the B.V.M., is allowed to be said during the Octave.⁵

The Mass of the Vigil of the Assumption may be said

¹ Bulls of Canonization and Common Opinion of Rubricists.

² S.R.C. Mar. 4, 1866.

³ Ibid. Oct. 5, 1652.

⁴ Ibid. Mar. 12, 1678. See also ECCLES. RECORD of Jan. 1885, p. 48.

⁵ S.R.C. Mar. 10, 1787, and passim. The same rule is extended by Rubricists to all Octaves:—If a Votive Mass is to be said of a Mystery or Saint during the Octave of that Mystery or Saint, it cannot be other than the Mass of the Feast or Octave.

as Votive on August 14th, if the day permit a Votive Mass, and the Office be not of the Vigil. No other Votive Mass of the B.V.M., is allowed on that day.¹

(4) Masses, the sense of which would not be true on the day on which the Votive Mass is to be said, and cannot be made true by the omission of a word or two such as *hodie*, *annua*, *quam praevenimus*, or by the change of a word or two, such as of *natalitia*, *solemnitas*, *festivitas*, into *commemoratio*, *memoria*.² As far as we can see, the Masses that would be excluded by this condition are very few. It seems to be this condition that excludes the following, which are so intimately connected with their Feasts that they cannot be celebrated on other days:—

The Masses of Christmas Day, of the Circumcision, of the Epiphany, of the Resurrection, and of the Ascension.

(5) Masses of Mysteries or Saints which have precisely the same object as the Votive Masses at the end of the Missal,³ such as those of Trinity Sunday, Pentecost, Corpus Christi, SS. Peter and Paul, St. Joseph, &c., &c., except during their Octaves.⁴

The Masses to be selected for various occasions.

We think the following directions will be sufficient for nearly all the cases that can occur:—

1. For the Holy Trinity, the Mass “De SS. Trinitate” at the end of the Missal.

2. For Feasts of Our Lord. We have seen that the Masses of the Nativity, Circumcision, Epiphany, Resurrection and Ascension, are not permitted as Votive. Some other Mass that may be said as Votive must be chosen, with the special intention of honouring these mysteries. For the same object as the Mass of Corpus Christi, and differing from it in no way except in those points in which a Votive Mass ought to differ from a Festive Mass, there is the Votive Mass “De SS. Eucharistiae Sacramento.”

¹ S.R.C. Sept. 3, 1661. From this, and a Decree of Jan. 26th, 1793, is deduced by Rubricists the general rule that on the day of any feast having reference to a mystery or saint, no Votive Mass can be said of that mystery or saint except the Mass of that feast.

² S.R.C. Dec. 22, 1753.

³ Vavas seur. The rule seems to be taken for granted by Guyetus. It seems to follow necessarily from the institution of special Votive Masses. If the festive Masses could be said, what could be the object of instituting the special Votive Masses?

⁴ See note (5) p. 397.

In the case of some of the Masses of Our Lord's Feasts, special provision is made in the Missal itself for their being said as Votive. These are, as they appear in the Missal, which we have consulted:—

In Festo SS. Nominis Jesu—Dom. ii. post Epiph.

In Festo SS. Cordis Jesu—Feria vi. post Oct. SS. Corporis Christi.

In Festo Pretiosissimi Sanguinis D. N. J. C.—Dom. 1 Julii.

In commemoratione SS. Passionis D. N. J. C.—Feria iii. post Dom. Sexag. (Votive Mass “De Passione.”)

In Festo SS. Spineae Coronae D. N. J. C.—Feria vi. post Cineres.

In Festo Lanceae et Clavorum D. N. J. C.—Feria vi. post Dom. 1. Quadrag.

In Festo SS. Quinque Plagarum D. N. J. C.—Feria vi. post Dom. iii. Quadrag. (Votive Mass “De Passione.”)

Other Masses, which may be regarded as Masses of Feasts of Our Lord, make no express provision for their being said as Votive. These are:—

In Festo Inventionis S. Crucis.—May 3.

In Festo Exaltationis S. Crucis.—Sept. 14.

In Festo Orationis D. N. J. C.—Feria iii. post Dom. Septuag.

In Festo SS. Sindonis D. N. J. C.—Feria vi. post Dom. ii. Quadrag.

In Festo Transfigurationis D. N. J. C.—Aug. 6.

In Festo SS. Redemptoris—3rd Sunday of July and Oct. 23.

Any changes that the different periods of the Ecclesiastical year may require to be made in the first four must be made from the Votive Masses “De Cruce” or “De Passione.”¹

We think that for the last two the same changes may be made from the Masses of the Sacred Heart and Precious Blood.²

3. In honour of the Holy Ghost. The Votive Mass “De Spiritu Sancto” among the twelve first must be selected.

4. In honour of the Blessed Virgin. Provision is made in the Missal for two Masses—of the Seven Dölours, and of

¹ De Herdt. The most convenient course would be to say the entire Votive Mass “De Cruce” or “De Passione.”

² Or better still, say the entire Votive Mass of the Sacred Heart or Precious Blood, with the special intention of honouring these events.

the Immaculate Conception. If a priest wish to say a Votive Mass in honour of the Assumption, Purification, or any other Feast of the B.V.M., the Mass to be said is that one of the five Votive Masses of the B.V.M., at the end of the Missal, which is suitable to the period of the year.¹

We must except (a) the entire Octave of these Feasts, when the Votive Mass must be the Mass of the Feast.² It is scarcely necessary to remark that if the office be of the Octave, the Mass cannot be Votive at all. (b) We must except also the 14th of August. If a Votive Mass of the B.V.M., be required for that day, the mass of the Vigil of the Assumption must be taken.³

5. In honour of the Angels. Provision is made for all periods in the Masses of the Guardian Angels and St. Raphael. With regard to the Mass of St. Michael, we find at the end of the Mass "De Angelis," the following rubric: "Alia Missa Votiva de Sancto Michaelē Archangelo dici potest, prout in ejus Dedicatione, die xxix Septembris." And yet there is no provision made for the case in which it is to be said *post Septuagesimam*. The Tract in this case is to be taken from the Mass "De Angelis," which is, in a manner, a *Commune Angelorum*.

There is also in the Mass of St. Gabriel the omission of the Alleluias and verse which are to be said from the end of Paschal time to Septuagesima Sunday. These are to be supplied from the Mass "De Angelis," or the first verse from Paschal time may be retained, the second being omitted.

In every other case the Votive Mass must be that "De Angelis."

6. In honour of St. John the Baptist. Mass as on the Feast of his Nativity, with the prayers of his Vigil, the Tract for *post Septuag.* to be taken from the *Commune Conf. non Pont.*⁴ In Paschal time the 2nd verse is from the same, or it would be better still to say the entire Mass of May 6, "S. Joannis ante Portam Latinam."

7. In honour of St. Joseph. Among the Six Votive Masses granted July 5th, 1883, the 3rd (for Feria iv.) is assigned to St. Joseph.

8. In honour of SS. Peter and Paul. The Votive Mass of these Saints among the twelve first at the end of the Missal.

¹ S.R.C., March 12, 1678.

² See note (5) p. 397, above.

³ Note (1) p. 398, above.

⁴ De Herdt. Guyetus gives the Tract "*Desiderium*," and Verse "*Justus germinabit*."

If a Mass be required for St. Peter alone, it will be the same Votive Mass, with the special intention of honouring St. Peter. There will be in this case no commemoration of St. Paul, as the prayer is common to the two saints.¹

The Mass of the Feast of the Chair of St. Peter, Jan. 18th, is recognised by the Missal itself as a Votive Mass. (See Rubric after the Votive Mass “Pro eligendo Summo Pontifice.”) 2nd Verse (temp. Pasch.) from Votive Mass at the end of the Missal.

If a Mass be required for St. Paul alone, it will be the Votive of SS. Peter and Paul.² The Mass of June 30th or of the conversion of St. Paul, Jan. 25, may also be said.³ There will then be a Commemoration of St. Peter before all others. The Gradual, 2nd Verse and Tract must be regulated from the Votive Mass, everything *proper* being retained.

9. In honour of any other Apostle. *Proper* Mass with Gradual and Tract, if necessary, from Votive of SS. Peter and Paul. If the prayers do not suit, say the prayers of the Vigil of Apostles, changing *solemnitas* into *commemoratio*, and omitting *quam praevenimus, ejus natalitia praevenimus*. If the proper Mass does not suit (as in the case of the Mass of SS. Philip and James, when Mass is required only for one) take the Votive Mass of SS. Peter and Paul, with the proper prayers, or those of the Vigil, as above.⁴

For two Apostles who are celebrated together, take the Mass of their feast, if suitable. If not suitable, or if Mass be required for any other two Apostles, say the Votive Mass of SS. Peter and Paul with prayers from Mass of SS. Simon and Jude, Oct. 28th, omitting these and inserting the proper names.

If a Votive Mass is required for all the Apostles, the Mass to be said is the Votive Mass “De Sanctis Apostolis,” which is the second of the six granted July 5, 1883.

If in Paschal time a Mass is required for one or more Apostles⁵ celebrated out of Paschal time, the Mass will be “*Protexisti*” (Com. unius Mart. temp. pasch.) with Epistle

¹ De Herdt says that the Mass of June 29th may be said with the special prayers of St. Peter from the Mass of June 30th. There will in this case be a commemoration of St. Paul before all others. Gradual, 2nd Verse and Tract from Votive Mass. But as this is opposed to the principle given above [p. 398, exception (5)], we prefer to keep to the Votive Mass of SS. Peter and Paul.

² Gavantus and generally.

³ Guyetus.

⁴ De Herdt.

⁵ Except St. Peter, St. Paul and St. John, whose Masses have been arranged above.

and Gospel from the *Proper*: the prayers also from the *Proper* or from the Vigil or October 28, as above.

10. In honour of any other saint. *Proper* Mass, if there be one, regulating Gradual, 2nd Verse and Tract from the Common. If there be no *Proper*, all will be from the Common.

If Mass is required for several saints who are celebrated together, and there be a *Proper* Mass, this Mass is to be said, any changes in the Gradual, Verses and Tract that may be necessary being made from the Common (of the more worthy, if they be of a different class).

If required for two or more who are not celebrated together, then there are two cases: (*a*) they are all of the same class, *i.e.* Martyrs or Confessors, &c.; or (*b*) of different classes. If (*a*), Mass from the Common.¹ As to the prayers: in the case of Martyrs, there is no difficulty: in the case of Conf. Pont. and non-Pont., the prayers are said in the plural number; for the case of several "*Virgines et Martyres*," provision is made in the Missal: in the case of several "*Virgines non Martyres*," the prayers are said in the plural: for several "*Martyres non Virgines*" provision is made in the Missal: for several "*Nec Virgines nec Martyres*," the prayers are said in the plural.

If (*b*), the Mass will be of the most worthy, no mention being made in the prayers of anything but what is common to all, as in the case of the Mass of "SS. Nazarii et Sociorum MM. et Innocentii P. et C."

For Votive Mass in honour of all the Saints, the Mass is as on Feast of All Saints, with *Introit* "Timete Dominum"² from Mass of St. Cyriacus, Aug. 8, or "Sapientiam" from Common of Martyrs. The Tract is taken from the Mass "Sapientiam." The prayers are "Concede," &c., the first among the "Orationes ad diversa." In Paschal time the Mass "Sancti tui" for Martyrs, with the prayers "Concede," &c., is more suitable.³ Instead of "A Cunctis" as third prayer, say that "De Spiritu Sancto" as within the Octave of All Saints.

II. If a Votive Mass be required for Thanksgiving, provision is made at the end of the Mass "De SS. Trinitate."

VIII.—*The Days on which Votive Masses are allowed.*

We do not speak of Masses that are plainly attached to certain days, nor of the Mass "*Pro Sponso et Sponsa*."

¹ De Herdt, Guyetus.

² Same.

³ De Herdt, Guyetus.

(1) The Missa Conventualis may be Votive only: (a) on Saturdays of Advent, which are not Quarter Tense or Vigils; and (b) on other days within the week when the Office is *de Feria* and the Mass of a preceding Sunday is not to be taken up. But this latter privilege is not allowed, if it be a Feria of Advent, Lent, Quarter Tense, Rogation or a Vigil.¹

(2) The Missa non Conventualis, whether High or Low, which is not ordered by the Bishop "*pro re gravi, pro publica Ecclesiae causa*," may be said on all days except Doubles, Sundays,² the entire Octaves of Epiphany, Easter, Pentecost, Corpus Christi, and Christmas:³ Ash-Wednesday, the entire of Holy Week; the Vigils of the Epiphany, Pentecost and Christmas: and the second of November.⁴

A High Mass ordered by the Bishop "*pro re gravi*" may be said on all days except—Doubles of the 1st class, Sundays of the 1st class, Ash-Wednesday, Holy Week, the Vigils of Pentecost and Christmas.⁵

The Votive Mass of the Quarant' Ore is not of itself a Mass "*pro re gravi*." There is a special decree with regard to the days on which it may be said.⁶ It may be said on all days except—Doubles of the 1st and 2nd class, Sundays of the 1st and 2nd class, Ash-Wednesday, Holy Week (the Exposition is not allowed at all from the morning of Thursday to Holy Saturday); the entire Octaves of Epiphany, Easter and Pentecost; the Vigils of Pentecost and Christmas; and local privileged Octaves.

The Votive Mass on the first and third day will be "*De SS. Eucharistiae Sacramento*:" on the second day "*De Pace*," or another at the choice of the Bishop.⁷

P. O'LEARY.

(*To be continued.*)

NOTE.—*The Mass "Pro Sponso et Sponsa."*

The following decree of the Sacred Congregation of Rites escaped our notice. It regards the vestments to be worn by the priest during the Marriage ceremony when Mass immediately follows:—"Si immediate sequitur Missa, Sacerdos praeter albam et stolam induere debet etiam planetam." (Aug. 31, 1867, Gard. 5382, ad. 5, in *Ambianen.*) Hence in addition to the alb and stole, the chasuble must be worn, the manipule alone being placed at the Gospel corner of the altar.

P. O'L.

¹ Rub. Miss.

² Rub. Miss.

³ S.R.C.

⁴ De Herdt.

⁵ S.R.C. Mar. 27, 1779.

⁶ See ECCLES. RECORD, vol. v. p. 738.

⁷ "*Infra Octavam SS. Corporis Christi, Missa erit de eadem Octava cum sequentia*," &c. Ibid.

CORRESPONDENCE.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

REV. DEAR SIR—A bazaar is being organized to defray the expenses incurred by improvements and alterations made in a Protestant Church. The promoters of said bazaar are disposing of tickets among their Catholic neighbours, and even one pious Catholic is helping her lady friend, a Protestant, in selling such tickets.

Queritur : Is it lawful for a Catholic to purchase these bazaar tickets, or otherwise to subscribe money for such a purpose ?

Yours faithfully, A MISSIONARY CURATE.

In replying to our Reverend and esteemed Correspondent it is right to distinguish two different reasons on account of which such acts, as are mentioned in his question, are or may be unlawful. First, they imply co-operation, at least material and remote, in heretical worship. Secondly, they are often occasions of scandal to both Catholics and non-Catholics. That even good Catholics may receive scandal in this way need only be mentioned. And as for the weaker brethren one can further imagine without much effort how such example might in pressing temptation weigh with some one to shipwreck his faith altogether. Protestants too are apt to look upon the contributors, if not as sanctioning indifferentism in matter of worship or a fusion to some extent of religions, at least as acknowledging that they also are in a fold of considerable safety or journeying by a *via salutis*.

Now, if serious scandal to either party were likely to follow, there does not appear to be at present in Ireland any public advantage to Catholic communities that could compensate for spiritual evils of such magnitude. Much less can private gain or interest balance them. But on the other hand, it can be readily conceived how, in the case before us, Catholic contributors may be in a position to remove all practical danger of scandal by intimating clearly or having it perfectly well and generally understood that they assist from the sole motive of good feeling towards their neighbours calling for money, and not from any approval of the purpose to which the funds are to be applied. That this danger is absent when tickets only are bought, we think probable. But how direct contributions can be freed from it is a problem of much greater difficulty. In these particulars, however, our

Correspondent with his local knowledge is the better judge.

So far the contributor's good intentions have not been questioned. The same rule shall be followed in dealing with *co-operation*, the second source of sin in these acts viewed objectively.

Here obviously in modern times there are some relieving circumstances. The other party in the place is not just after seceding from Catholicity, nor are its members in a state of *formal* opposition. Rather they are in pacific possession, and have given up the attacks of a former age. At least this must be taken for granted, else contributions in any shape were out of the question, with our present freedom of action. Secondly, we may fairly suppose the improvements would go on and the Church-service continue independently of the course which Catholics take in the matter. Thirdly, there is some difference between improvements and alterations on the one hand and first erection on the other. But, notwithstanding these considerations, the evil still remains of at least materially aiding, favouring, and giving respectable durance to heretical worship. Hence Lehmkuhl (p. 395) taking, no doubt, these circumstances into account, and speaking of individual contributors, says, "*Vix quidem ad templum aut ad institutum formaliter religiosum (conferre possunt).*"

Accordingly, as things stand at present, we conclude:—

1°. No aid even by purchase of bazaar tickets can be given to repair a church belonging to "souters," or other societies of kindred action.

2°. Many Protestants are above abusing poverty for the purpose of trafficking in immortal souls, and to buy tickets from them, for the purpose of securing their valuable aid on other occasions and not snapping kindly social relations, is occasionally justifiable. The co-operation is not so proximate, since, what one immediately does, at least to some extent, is to purchase the chance of getting a prize; and scandal too, where the cause is grave, may be absent, unless possibly in the supposition of priests being among the purchasers.

3°. To direct contributions, and still more to *promoting* the sale of tickets, Lehmkuhl's remark applies in full. Besides being frequently a cause of great scandal, it is not easy to find such circumstances as will prevent these acts, objectively viewed, from amounting to formal co-operation and approval of the purpose intended. This is never

lawful. Nor have non-Catholics any right to complain. It is, no doubt, the guiding spirit of Catholicity to be charitable to all men, but whereas there is only one way of salvation, the most sacred interests of religion and charity prohibit formal co-operation with, or approval of, heresy and its services. Let Catholics, therefore, say that they will show their good feeling by aiding institutions of pure beneficence for the advantage of all the inmates. In most cases this is the only method of direct contribution open to them. At the same time where the contrary practice has been customary, even without sufficient reason, it will still remain a question for the priest's best judgment to decide whether more good can be done by interfering openly with the usage than by tolerating it until a more favourable opportunity presents itself.

P. O'D.

O clemens, O pia, O dulcis, Virgo Maria.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

SIR,—I am sure the readers of the RECORD will feel grateful to Dr. Molloy for throwing so much light on the meanings of the above words. I do not write to gainsay anything your learned correspondent has written, but I wish merely to supplement my former letter by a few words of explanation. *Clemens* occurs frequently in Latin prayers. Applied to our Lord it is usually translated *merciful*, and sometimes also it receives the same translation when applied to the Blessed Virgin. It is so translated in the *Salve Regina* of my English copy of the *Garden of the Soul*. In Continental prayer-books, especially in the Romanee languages, you may get the *Salve Regina* in Latin without a translation, and this makes it harder for us to compare translations. In a Spanish prayer-book I find *Virgo clemens* of the Litany translated *Virgen Misericordiosa*. However in favour of my translation (*O gentle*), I find *O gütige* in German for *O clemens*, and in the Litany in French *Virgo clemens* is *Vierge de douceur*—

Virgo singularis,
Inter omnes mitis.

My great objection to *O clement* is that it is unintelligible to the people. I have nothing to add with regard to my rendering of *pia* (loving), except that I find I have got some authority on my side. As to *dulcis*, I must confess I made in my first letter a rather sweeping assertion at which I was astonished myself when I saw it in print. I wrote “‘sweet’ as a rendering of ‘dulcis’ used figuratively is scarcely in accordance with the genius of the English language.” Now if “as here” is inserted after “figuratively” my meaning is plainer. Dr. Molloy very kindly took up my proper meaning at once. I evidently was thinking of the number of times one meets *dulcis* and

dulcissime in Latin prayers. I do not deny, nor have I in point of fact altogether denied, that *dulcis* used figuratively can sometimes be translated *sweet*, though, strange to say, among the figurative meanings of *dulcis* in a standard Latin Dictionary (Smith's), I do not find *sweet*. Cicero says *nomen pacis dulce est* but even in cases of this kind I am unwilling to use *sweet* as a translation. Somehow I always feel disposed to connect the use of the English word to what is pleasing to one of the four senses of taste, hearing, sight, and smell. Horace says *dulce et decorum est pro patria mori*, but I cannot bring myself to believe that matter-of-fact John Bull could call dying in pain, *sweet*. An Englishman would naturally say, *It is a glorious thing to die for one's country*. But whatever may be said of these cases, it cannot be denied that *dulcis* occurs frequently in Latin as a term of affection or endearment, and that according to the usual modern idiom of the English language, the proper translation is *dear*. For instance, *Dulces natos* Æneid II., 137, "dear or darling children." *Dulcis conjux*, Georg. IV., 465, "dear wife." *Dulce caput*, Æneid IV., 493. And in Horace *amicus dulcis*, *dulcis amice*, &c. I know that in old English *sweet* is used as a term of endearment in cases where we cannot use it at the present day. However people like to translate Latin prayers as literally as possible. And I suppose that this accounts for the fact that in German Catholic prayer-books I find *süße* and *süßiger* as translations of *dulcis*, where the ordinary German idiom would require *lieb*. For the present I should be for letting *sweet* stand in our prayer-books, though speculatively I object to it as a proper modern idiomatic rendering of the Latin. *Sweet* as a translation in the following would be absurd—

Dulce ferrum, dulce lignum,
Dulce pondus sustinent.

Now I may be asked in conclusion, can I give any authority favouring my translation of *dulcis*—*dear* and not *sweet*. Well, it so happens that in an Italian prayer-book printed in Rome I find *dulcissime Jesu !* occurring in the well-known prayer *En ego* rendered *O mio amato Gesù !*

Yours, &c., M. J. O'BRIEN.

NOTICES OF BOOKS.

The Charity of the Church a Proof of her Divinity. From the Italian of His Eminence Cardinal Baluffi : with an Introduction by DENIS GARGAN, D.D.

This work may be regarded as a triumph in the art of translating, for it comes into our hands with all the grace and verve and vivacity of an original composition. For this reason, and apart

altogether from our indebtedness to Dr. Gargan for revealing to us the "thoughts that breathe" through the work of his Eminence, every discerning reader will peruse the book with admiration and gratitude. In less competent hands the task of translating would have been supremely difficult; for we must remember that, in matters appertaining to religious subjects, English forms of thought and English "notional and relational words" are decidedly antagonistic to those of our great Continental writers. The Reformation, having created a "jarring chaos" of ideas, engrafted on the English tongue only such vague and variable forms of speech as consorted with an implacably anti-Catholic system. Dr. Gargan has, however, overcome this fundamental difficulty, and has transfused into an uncongenial language, together with the substance and spirit of the original, a large share of that mellow tenderness and elaborate simplicity of style in which Italian works are said to abound. They say of translations that "the sparkle sadly evaporates during the process of decanting;" but in this volume there decidedly is no degeneracy.

It would be unjust to Dr. Gargan, and no less unfair to our readers, to attempt to compress within the narrow limits of a *Notice*, an adequate idea of the value of this work. The "argument" itself sufficiently indicates over how wide a field and with what unwearied industry the author pursues his inquiries, in order to demonstrate—as he does most conclusively—that in all the ages of the Church, and in every phase of society, she has made manifest to the world her divine attribute of charity. For the accomplishment of such a task the very first and fundamental requisite is a critical and systematized familiarity with ecclesiastical history—not indeed as a bare record of events, but as a closely interwoven web of facts, in each of which the historian will trace more than a transient significance, and from the fusion of which he will evoke the vision of the true "Spouse of Christ" in all her divine lineaments and queenly endowments. All this the comprehensive scholarship of our author has most ably accomplished.

C. J. M.

La Philosophie religieuse du Mazdéisme sous les Sassanides, par
L. C. CASARTELLI. Paris, Bonn et Londres. 1884.

This work, written by Rev. L. C. Casartelli, M.A. Lond., Ph.D. Louvain, Prefect of Studies at S. Bede's College, Manchester, is a *résumé* of the philosophical and religious doctrines of the Magian or Zoroastrian religion as it existed in the Persian empire under the dynasty of the Sassanides (A.D. 226–651). The importance of this period is due to the fact that the kings of this dynasty were adherents of the Magian religion, and that they first made it the national creed. Dr. Casartelli has arranged in philosophical order the various doctrines found in the Pahlavi treatises belonging to this period. A learned Persian, Paulus Persa, who flourished at

the court of the great Sassanid King, Khosrav Anosharevan (A.D. 531-578), gives a summary of the different theories held at that time by his countrymen regarding the nature and attributes of God, which reveals a great diversity of belief. This diversity Dr. C. thinks, was a consequence of the Magian doctrine of dualism, or the co-existence of two distinct and independent principles—the principle of good and the principle of evil—a doctrine so repugnant to the human mind that, to escape from the contradiction involved, it strove to find repose in some original unity of principles. The different schools had recourse to diverse methods of solving the difficulty. Some found the solution in a Being pre-existing, indifferent, unchangeable, the *Zrvan-akarana* who gave birth to Aûharmazd as well as Aharman—the principle of good and the principle of evil. Other philosophers made Aûharmazd this first principle, and either derived from him the spirit of evil, or attributed to him two spirits, one good and the other evil. The doctrine of a primordial *Zrvan* was little more than a philosophical system or theory. The true god of the old Persians was Aûharmazd. Dr. Casartelli treats at length of the titles and attributes of this god. He is called in the treatises of the Sassanid era the Being *par excellence*; he who was, is, and ever shall be; the pure, intangible spirit; the spirit of spirits; omniscient, omnipotent, supreme sovereign, perfectly good, beneficent, benevolent, merciful. It is remarkable that the attribute of immensity or infinity is wanting in the titles given to Auharmazd. In the *Bûn-Dehesh*, the attribute of infinity is expressly excluded, and the reason for this exclusion given—viz., the existence and empire of the spirit of evil which makes infinity for Aûharmazd an impossibility. (B.D. i. 5.) The favourite title of this god is creator (*dâtar*.) Is the creation a creation *ex nihilo*, or a formation from a *prima materia*? Spiegel and West do not think that either the Avestic or Pahlavi terms employed can be understood in the former sense. Dr. Casartelli thinks it difficult to reconcile this view with a passage in the *Bûn-Dehesh* (xxx., 5, 6) cited at length by him. One of the most important works of the Sassanid literature is the *Mainyô-i-Khard* (Spirit of Wisdom.) Who was this Spirit of Wisdom? Was it a creature of Aûharmazd? Was it Aûharmazd himself? This question is discussed by Dr. Casartelli. From a careful comparison between the Old Testament on the one hand and the Sassanid treatises on the other, he has no difficulty in accepting the opinion of Spiegel that the *Mainyô-i-Khard* of the Sassanid philosophy was a conception derived from the *Σοφία* of the Alexandrian schools. The doctrine of Volûman, son of the Creator, is treated of, and the author believes that in the *Dinkart* there are traces of the influence of the Christian doctrine of the *Λογός*. Aharman is represented in the Sassanid literature as having existed from all eternity like Aûharmazd. His most distinctive character is that of creator of evil. The *Bûn-Dehesh*

says there will be a time when he will not exist (i. 3.) The remaining chapters treat of Spirits, Cosmology, Man, Ethics, and Eschatology. We have referred to what appear to us the fundamental portions of the work. The value of this really profound treatise consists in the fact that it is based entirely on original research, the writer being an accomplished Oriental scholar and linguist.

HENRY WORSLEY.

The School and Home Song-Book. A Collection of Songs for use in Irish Schools. Selected and arranged by P. GOODMAN. Dublin and London. J. DUFFY & SONS.

Mr. Goodman, in publishing this admirable work, has rendered the Irish musical public a service unique in its kind. An Irish School and Home Song-Book, worthy of the nation and of the art, we have long looked for, and in vain. In Germany every school and every home has its song-book; and hence, in every German school and home may be heard those exquisite harmonies which so fill us, when we hear them, with wonderment and envy. Yet well we know that the phlegmatic Teuton is not by nature more musical than the high-strung Celt. He has been fed with good music from his cradle: at school the compulsory singing-class was as natural to him as his three R's—indeed far more so. He sings, and understands what he sings: hence, he goes forth to a musical manhood with a faculty for musical enjoyment trained and developed, and a facility of musical execution which has made him the envy of nations not less gifted but less educated. The Irish music-hunger has, on the contrary, been met with starvation diet at famine prices; and hence, with all our glorious traditions of national music, it has become painfully evident to those capable of making the comparison, that we are lapsing with alarming rapidity into musical barbarism both in taste and execution. But our lapse is not final, and in a book, such as Mr. Goodman offers, we place our hope. Here is theory, sound and sufficient, and yet condensed into some thirty pages. Thirty examination questions follow, admirably testing the young singer's knowledge of the elements of vocal music. Here Mr. Goodman's German technical education has stood to him, and he has made comparatively easy, principally by his lucid examples, some of the most difficult lessons in the theory of elementary singing. Teachers will find this short treatise invaluable, and most practical.

However, the principal part of the book, both in bulk and value, is the song-book that follows on the theoretical part. Here we have seventy-six Irish songs, chosen with a discrimination that could only, we think, be found in one who was both thoroughly Irish and thoroughly musical. Were there never a note of music here we should welcome such a choice of the gems of Davis, Griffin, Mc'Carthy, Joyce, Williams, and other Irish singers, whose songs are less easy to procure than those of Thomas Moore, thirty of whose melodies begin this collection. And we cannot say how

we like the arrangement of the songs, generally for two voices, though sometimes for more. May a pitying heaven put this book into the hands of some of those torturers who so readily volunteer their excruciating 'seconds' to their neighbour's song. Such purgatorial 'harmonies' will soon cease if Mr. Goodman's two-part melodies are procured and studied. It is no easy thing to put a second part to many of our most beautiful melodies, without spoiling them. Where "fools rush in" Mr. Goodman treads with care, and has really succeeded most wonderfully. Classes may use this book with splendid effect by dividing the voices for the parts; and it is a comfort to think that they will thus, almost unconsciously, come to learn the true method of harmony, and to reject the haphazard and most painful methods of the past.

Eleven English, eight Scotch, and thirty German songs follow the Irish, and have been chosen with the same admirable taste. In the German collection will be found gems from the greatest masters of Teutonic song; and in many an Irish school, and by many an Irish river, we may hope soon to hear those rich and satisfying strains connected hitherto with memories of the distant Rhine.

But it is for his rich collection and his richer setting of the Irish songs that we wish to thank Mr. Goodman; and we are most earnest in the hope that both he and we may live to see this book a source of instruction and of pleasure in every school and every home in Ireland. One sin of omission (perhaps some may call it an act of virtuous prudence) we lay to Mr. Goodman's charge. Having seen and sung the last song in his book, we have looked, but in vain, for "God save Ireland."

A. R.

A Grammar of Gregorian Music, with Exercises and Examples; a complete Collection of the Liturgical Chants at High Mass, Vespers, Compline, and other functions; Dumont's Masses of the 1st, 2nd, and 6th Tones; the Mass "De Angelis," etc. By the VERY REV. WILLIAM J. WALSH, D.D., President St. Patrick's College, Maynooth, etc., etc.

A close perusal of this Grammar of Plain Chant has made us wish that either we had been born some score years later than we were, or this book published twenty years earlier. Both as pupil and as master we should then have suffered less, have learned and taught more, and have more to show for our pains to-day. Despite an enthusiastic love for Gregorian, we have never had other than a sinking heart when we have looked into the literature of Plain Song. Not that we had not complete works on the matter. They were sadly and disastrously complete. We could show pages inscribed as "Plain Chant for Beginners," to which a page of "Bradshaw's Guide" would be crystalline simplicity. Not even the *Magister Choralis* took away the winter of our desolation, nor made the implicated buds unfold; that was still, at least for most of our pupils, "the prophet's scroll—full of lamentation,

and mourning, and woe." But here, at long last, is the book we have looked for. Following close on his admirable edition of the *Ersequiae*, Dr. Walsh's *Grammar of Gregorian Music* leaves the teachers and students of Gregorian music nothing to want. The arrangement of the work is simplicity itself. It is designed, as every good grammar should be, to give clear theory and apt example, in such juxtaposition as to make them explanatory of each other—the theory at once shown in practice, and the practice itself made intelligible by the theoretical rules preceding it. Perhaps nothing is "sterner stuff," than musical theory unsolved by music. No such stuff will be found in Dr. Walsh's practical and really most interesting pages. With the true instincts of a teacher, he has shown by example not only what is right, but also what is wrong—those mistakes being chosen which are more commonly found amongst ourselves. These frequent examples of what *not* to sing, give the little book a piquancy not to be expected in a grammar, but most welcome when found there. Were we to single out any parts of peculiar excellence, we would refer the reader to the chapter on the psalm-tones, and the observations that follow. The vexed question of the *syllabic* and the *accentual* modes of psalm-singing is given with much clearness, and the solution is, we think, the one that will recommend itself to all who have had practical experience in the matter.

The five appendices make a complete work still more complete; and we congratulate the author on the happy thought of keeping the mass of valuable and practical matter therein contained apart from the Grammar proper. In the 4th and 5th appendices are to be found such splendid and, alas! much outraged pieces as the *Veni Creator*, *Te Deum*, *Pange Lingua*, *Vexilla Regis*, together with four Masses in the more commonly used modes: all models of the purest and noblest Gregorian, and all revised according to the recent instructions of the Sacred Congregation of Rites.

This invaluable Grammar closes with a set of examination questions, covering all the matter therein treated. In reading over these questions, we have asked ourselves: Would it be too much to require that *every* student presenting himself for admission into Sacred Orders should answer these questions substantially, as a *sine qua non*? Certainly St. Charles Borromeo would require from candidates for ordination at least so much knowledge of a chant which belongs to the integrity of Catholic liturgy, and the clerical ignorance of which has given rise to such grievous musical scandals in every part of Christendom. If Dr. Walsh's book helps to bring this about, it will earn, with its gifted author, the blessings of generations yet unborn.

A. R.

THE IRISH ECCLESIASTICAL RECORD.

JULY, 1885.

FAITH AND EVOLUTION :

A FURTHER CONSIDERATION ON THE QUESTION.

“Wir tasten ewig an Problemen. Der Mensch ist ein dunkles Wesen, er weiss wenig von der Welt und am wenigsten von sich selbst.”—GÖTHE.

MOST scientists are of opinion that Adam's body was not formed from the slime *immediately*, but *mediately*, and by a process involving some sensible duration of time. Now, the question naturally suggests itself—May a Catholic countenance such an opinion without peril to his Faith?

The question has already been ably treated by the Rev. J. Murphy in a previous number of the RECORD,¹ and his verdict is, to say the least, not encouraging. He emphatically denies, not merely the objective truth of the doctrine, but also the right of any Catholic to accept it even provisionally and as a possible hypothesis. Since, however, the question continues to excite a good deal of interest in some quarters (*vide Tablet*, May and June), I propose to espouse the opposite view, with the hope that a free ventilation of conflicting opinions may throw some additional light on the matter, and that in the clash of arms, truth, like a spark, may at last flash out and reveal itself.

There are evidently two distinct assertions made in the general account of man's creation.

- (1) God formed man's body from the dust, or slime.
- (2) God breathed into that body a living soul.

So far all Catholics are agreed, and there can be no possible room for controversy between them. We may

¹ See the RECORD, Dec., 1884.

therefore dismiss these two propositions as entirely outside the scope of this paper, and regard them as irrevocably settled. The only point, as it appears to me, on which there can be any dispute, is of quite minor importance, and one which holy Scripture nowhere decides, and that is the *manner* in which God formed Adam's body. That He made it, that He made it from the earth, is clearly stated in the second chapter of Genesis, but there our information ends. As to how this great work was accomplished no word of explanation is afforded us. Was it immediately¹ or mediately? Was it in an instant or was it during a protracted period of many years? The oracle is silent. Our curiosity² is rebuked, and the question is left undecided. It is not a matter which can materially affect our duties to God or our religious attitude, or in any way be needful for us to know. All that is really expedient for us to believe is contained patently enough in verses 26, 27, 28 of chap. 1. and verses 7, *et seq.* of chap. 2. I will remark here that too much importance has been attached to this question.

We are apt to confuse far too easily two very different things, viz., the historical, scientific, and social importance of a question, and its purely religious and spiritual importance. The manner in which the first human body was formed, possesses, undoubtedly, a strong interest for most of us, as being a curious and hidden part of the history of our race, but to suppose that it has any deep-rooted connection with our religious interests, or that it can effect in any appreciable way our attitude towards God or towards each other, is surely a profound mistake. Indeed it would be interesting to hear why it should be considered, in that respect, as anything more than one of the "historialia"³ of which St. Thomas speaks, and on which he evidently considers tradition is not competent to speak dogmatically.

What does it really signify from a religious point of

¹ "Si diceremus:—[of a living man] '*Deus ex semine virili formavit hominem in utero materno*;' non possemus ullo penitus modo quidquam inferre de unico solo instanti in ea productione." So, neither can we draw any such conclusion when interpreting ch. ii. v. 7 of Genesis.—*Vide* Arriaga, Disp. 34, sect. 1.

² Balmés says:—"Diríase que Dios se propuso dar una severa lección á nuestra excesiva curiosidad; leed la Biblia, y os quedareis convencidos de cuanto acabo de asertar." *El Protestantismo, etc.*, vol iv., cap. lxxi.

³ See page 418.

view, whether Adam's body, ere¹ yet his soul had been breathed into it, were instantly prepared for its reception by the command of God, or only slowly and by a gradual process of greater and greater development? Till the soul informed it, it certainly was not a portion of Adam's human nature, whether it had occupied one second or a thousand years in making. Why then so much learned discussion on the subject?

Why reject with so much impatience the view of those who hold that the substance of Adam's body, before it really become his, was of gradual growth, and from a lower to a higher genus of being?

The earth was slowly and gradually prepared to receive the body of our first parent, why may we not hold that his body was slowly and gradually prepared to receive his soul? From the word of God we can infer positively nothing! It tells us, *e.g.*, that "He gives to beasts their food, and to the young ravens that call upon Him." (*Ps.* cxlvi.) Who will say that He does so immediately? We dare not affirm so much, since experience bears testimony to the contrary. But are we justified in asserting either yes or no, in a case where experience can bear no testimony whatever?

If indeed Adam's body were first but vegetative, then purely animal, and only in its final stage human, it would much more nearly approach the general system upon which our bodies are at present built up than had it been instantly transformed from slime to a full-grown man; at least if we follow the teaching of St. Thomas. According to the Angel of the Schools,² each human body that now lives and breathes, has sprung from a material that was merely vegetative, and which continued for some time in its merely vegetable form of existence, then passed at the proper time into the animal or sensitive stage, and only after these various evolutions had been passed through

¹ Libro 13 de civ. Dei. cap. 24, S. Aug. bene ponderavit prius faciem hominis esse formatam, quam Deus illi inspiraverit vitam, sic enim verba Genesis sonant: *inspiravit in faciem ejus spiraculum vitae*. The reference is made by Arriaga, loco citato.

² Anima praeexistit in embryo, a principio quidem nutritiva, postmodum autem sensitiva, et tandem intellectiva ideo dicendum est, quod cum generatio unius semper sit corruptio alterius et sic per multas generationes et corruptiones pervenitur ad ultimam formam substantialem. See S. Tho. Summa—P. i. Q. cxviii. A. ii. and the note beginning "Hinc ergo."

and the body had become fit, received a living rational soul.

"It is not many years since you who listen to me (writes the venerable Bishop of Birmingham) had your existence begun in a mere germ of matter, you were but a speck in a region of darkness. . . . You were a feeble substance in a great hazard, yet with a vast capacity for greater good, which as yet was in the hands of God and of His Providence. Who can tell at what moment, of what hour it was that God vitalised that germinal body with a living soul?"¹

If each human being, since the first pair, has had his soul—immortal and rational though it be—breathed into a body that was prepared only by successive growths,² why must we regard it as so utterly repugnant that Adam's body should have been formed in some more or less analagous way?

At least I think it may be considered as a matter of very little moment in its bearings on Faith and Morals.

In spite of Fr. Murphy's very interesting and valuable contribution to the literature of this subject, I cannot say that I feel compelled to accept all his conclusions. I read his paper with all the attention that it so well merits, and though I would not go as far as positively to deny his right to contend that Adam's immediate creation is of Faith (or *proxima Fidei*), I nevertheless maintain that the matter is sufficiently uncertain to give the opposite opinion at least a probable liceity; and that is the sum of my present contention. Even if we fully hold to the more orthodox view ourselves, let us at least give opponents liberty to hold opposite views, as long as there is fair doubt concerning their irreconcilability with Catholic dogma.

It is for this doubt I am contending, and the attempt, most honestly made by Fr. Murphy, to rob us of the freedom to which such a doubt can alone entitle us, is to my mind the only regrettable part of his paper.

What do theologians teach in regard to the subject before us? Fr. Murphy has summed up a goodly few who

¹ "The Endowments of Man," p. 95, by Bishop Ullathorne.

² I am fully aware that this is not the opinion most generally approved of now-a-days, and that the theological faculties of Paris, Vienna, Prague, Salamanca (not to mention others), incline to the belief that the soul is infused at the first moment of conception; but this reflects in no way upon the force of the analogy since we are under no obligation of adopting the more recent view, and would undoubtedly baptize the *foetus* in case of abortion "*sub conditione*."

seem to pronounce upon it with little hesitation. But is there a consensus?

Observe, it is not enough that the great bulk of the theologians have been unanimous in teaching a certain doctrine. We must inquire further the nature of the doctrine, and how it was taught. What is taught incidently and "*per transennam*," and when dealing professedly of other things, cannot command much respect nor claim much authority. Again, what is taught generally, and merely as being the common opinion of the time, can have no binding effect on future ages. But what is of still higher importance is the nature of the truth taught. Rules which are *de rigueur* in the case of matters intimately effecting morals and the general deposit of Faith, cannot be applied indiscriminately and in the same sense to what is of little importance to either.

But with these premissary remarks let us turn to the Council of Trent.¹ "*Ut nemo . . . in rebus fidei et morum ad aedificationem doctrinae Christianae pertinentium . . . contra unanimem consensum Patrum ipsam Scripturam interpretari audeat.*"

The gravest theologians warn us that in the solemn declarations of Councils, above all when serious prohibitions are made, each word has a deep significance and must be allowed its full weight. We must grasp the sentence in its entirety, and beware of applying portion of it without duly qualifying it by the remainder.

In using the above extract for example we are not permitted to disconnect the part underlined from the rest. Perrone even, whom Fr. Murphy quotes with approval, writes as their equivalent: "*In rebus fidei et morum atque ad aedificationem doctrinae Christianae pertinentium, &c.*"

Let us add the paragraphs that Fr. Murphy has transcribed (1) from the Vatican Council:

"*Porro fide Divina et Catholica ea omnia credenda sunt quae in verbo Dei scripto vel tradito continentur et ab Ecclesia sive solemnii judicio sive ordinario et universali magisterio, tanquam divinitus revelata credenda proponuntur.*" (*Cap. iii.*)

And (2) from a letter of the late Pope to the Archbishop of Munich, in which it is said that the obedience of Faith extends:

"*Ad ea quoque quae ordinario totius Ecclesiae per orbem dispersae magisterio, tanquam divinitus revelata traduntur ideoque universali et constanti consensu, a Catholicis theologis ad fidem pertinere retinentur.*"²

¹ Sess. 4.

² See RECORD, Dec. 1884, p. 760.

Now I ask—Is the question as to *how* God formed Adam's body a *res fidei aut morum*?—a thing of Faith or morals? Again, in both the quotations made in the RECORD, it is required that the doctrines taught should be proposed "*tanquam divinitus revelata*" — as doctrines divinely revealed. Has the doctrine of Adam's body been taught by the theologians mentioned, as their own belief, or have they propounded it as a divinely revealed fact? It is not enough that the Fathers and theologians have taught it, but to have a binding effect upon us, they must have taught it (a) *as of Faith*, and (b) *in sufficient numbers to form a consensus*. A single theologian, such as Jungmann, however explicitly he may speak, cannot end the controversy with a simple stroke of the pen—nor would a dozen such names be enough to put the matter beyond the field of discussion.

Again, we may gather some light from that bright luminary of the exegetical heaven—St. Vincent of Lerins.

He has the following remark: "*Antiqua Sanctorum Patrum consensus, non in omnibus divinae legis quaestionibus, sed solum certe praecipue in fidei regula magno nobis studio et investiganda et sequenda.*"

The immense distinction between the important fact of divine faith that God made Adam's body, and the *comparatively* insignificant fact as to *how* He made it may be well illustrated by an analogous case in the writings of St. Thomas. He lays down the following doctrine:—

"Quae ad fidem pertinent dupliciter distinguuntur, quaedam enim sunt per se substantia fidei Quaedam vero per accidens tantum quae scire non tenentur sicut multa *historialia*;¹ et in his etiam sancti diversa senserunt, Scripturam divinam diversimode exponentes."

He then suggests the following very pertinent instance:

"Sic ergo circa mundi principium aliquid est quod ad substantiam fidei pertinet, scilicet mundum incepisse creatum, et hoc omnes sancti concorditer dicunt. *Quo autem modo et ordine factus sit non pertinet ad fidem nisi per accidens, in quantum in Scriptura traditur, cujus veritatem diversa expositione salvantes, diversa tradiderunt.*"²

This is about as good an analogy as we can expect to meet with. Just as the fact of creation forms the substance of the narrative in the 1st chapter of Genesis, as far

¹ See page 414.

² See Lib. sect. ii., dist. xii., art. 2.

as the Faith is concerned; so, in the same sense, the formation of Adam's body by God forms the essence of the narrative in chap. 2; further, just as the truth concerning the manner and order (*quo modo et ordine*) in which the earth was made is so slightly connected with Faith and of so little importance, that the Fathers may teach it without claiming the authority of tradition; so, the same may be urged concerning the manner of forming Adam's body, only with much greater force, since concerning the formation of the world the Sacred Scriptures do say at least something, whereas in the case of Adam's body, they are absolutely silent.

If the objection is urged that, in the first case, the Fathers are not unanimous, whereas in the second case they are (which is not the fact), I reply that it is evident that the want of an absolute consensus is not the motive upon which St. Thomas bases his decision,¹ but that he attributes the liberty of dissent rather to the trifling connection such details have with the essence of the Catholic dogma, and it is for a like reason that we claim the same liberty in discussing the formation of Adam's body.

This seems further borne out by Melchior Canus, who in treating another question, remarks, "*Si omnes sancti Patres in hac re falsi essent, in re parvi momenti falsi fuissent,*" clearly implying that in a matter of little moment they might all teach what future investigation might prove to be false.

Franzelin also speaks to the point when he writes:—

"Non certe repugnat, ut aliqua sententia aliquando inter theologos communis, postea argumentis et documentis melius perspectis communis esse desinat vel etiam obsolescat. Talis autem mutatio ipsa, argumentum est consensionem illam antecedentem non fuisse ratum et firmam sententiam, quae securis et immutabilibus niteretur fundamentis; sed opinionem tantum *pro praecedenti statu quaestionis* probabilem."²

In an age when the days of creation were

¹ This is also the view of St. Thomas' meaning taken by Canon A. Motais, who, after quoting the extract in another connection, writes:—"Il nous paraît évident que l'intention de St. Thomas est de démontrer que c'est à cause du peu de relation qu'ont les détails dont il s'agit avec le dogme Catholique, que les Pères ont pu se tromper sur ce point." P. 127, *Le Déluge Biblique*, by A. Motais, Professor of S. Scripture and Hebrew at the Seminary of Rennes.

² De Traditione, p. 177.

believed to be of but four-and-twenty hours each, it would hardly be possible to entertain the idea of a gradual and slow evolution of Adam's body. Even the learned Suarez would, on his own principles, hardly venture to restrict our liberty so narrowly as Fr. Murphy, if we may judge from his method of dealing with a certain other doctrine for which all the schools declared unanimously "*communis in omnibus scholis doctrina.*"

Suarez asks, "Is it of faith as some aver?" "No," he replies, "I think not."¹

Why?

Firstly, because the text of Scripture is not so explicit that it may not be otherwise explained. "*Quia Scripturae testimonia non sunt adeo expressa quin aliis modis explicari possint.*"

Secondly, because the Church has defined nothing in regard to it. "*Et nulla exstat de hac re Ecclesiae definitio.*"

Thirdly, because tradition is not decisive. "*Neque traditio est satis aperta.*"

Fourthly, because theologians are not more decided than the Fathers; since, even if they be unanimous in their opinion, they don't affirm the doctrine *as of faith*: "*Nam licet theologi in hac veritate asserenda consentiant, non tamen illam affirmant ut dogma fidei.*"

Is not this just exactly our case? Do not the above words of the great Suarez admit of a very easy application to the subject in point, and materially assist us in deciding upon the attitude of mind we should adopt in the controversy concerning the evolution of Adam's body?

I may point out here, that, as a matter of fact, many learned theologians of the present day do admit and uphold the mediate creation of Adam's body, as a possible hypothesis, and as an opinion *which may be held without any disloyalty to the faith*, though they may not embrace it themselves. Now this would hardly be the case if Fr. Murphy's assertion were well-founded, since we cannot suppose such men ignorant either of the teaching of the Councils, or of the opinions of the Fathers and theologians. Yet they decline to condemn the opinion as wrong.

Let me mention merely some half-dozen instances. The Rev. John Gmeiner, Professor in the Theological

¹ Suarez in 3, q. 9, dis. 25.

Seminary at St. Francis, Milwaukee, sums up the matter, in his little work, with the following words :—

“ After carefully considering both sides of the question, I, for one, would not venture to declare Professor Mivart’s opinion inconsistent with any Catholic doctrine.”¹

So, again, one of the most famous living theologians of Spain, the distinguished Padre José Mendive, who holds the chair of Metaphysics at the University of Madrid, teaches in his celebrated work, *La Religión Católica*, that one may believe Adam’s body to have been formed from an organised substance, and only mediately from the dust. I will translate a sentence or two from p. 430 :²—

“ Whether we say that God formed man proximately from the slime of the earth, or from any earthly substance you please, endowed with a certain organism, the theological truth remains intact, since the said organism, in its ultimate analysis, may be traced to the slime of earth; and man, by reason of this element, would really have been formed from the dust. ‘Dust thou art, and to dust thou shalt return’ was spoken by God to Adam in punishment of his sin, and ‘dust thou art’ is said to us by the Church on Ash-Wednesday. These words surely do not signify that we are, *hic et nunc*, dust, but only that we draw our origin from it.”

Later on he quotes Suarez as teaching the immediate formation of Adam’s body; but he adds (what Fr. Murphy forgot to mention) that “he did not fail to recognize the probability of the contrary opinion (No deja, sin embargo, de reconocer la probabilidad de la opinion contraria, etc.)” He even cites, as supporters of a mediate formation, St. Chrysostom, St. Augustine, and amongst the scholastics Tostado and Alphonsus de Castro.

Further, Padre Arriaga, in his treatise “*De opere sex dierum*” discusses both theories, and concludes in favour of a mediate formation. Here are his words :—

“ Ecce quae pro utraque parte asseruntur, nos multum urgent. Suarez probabiliorem philosophice censet hanc secundam opinionem [which favours the successive formation of the first man] quia sine dubio connaturalius et facilius intelligitur quomodo id sit factum cum aliqua morula ex praejacente materia quam in instanti: at theologicè videtur in priorem inclinare . . . Ego vero . . . sane non video majorem auctoritatem pro prima quam pro secunda sententia:

¹ See *Modern Scientific Views*, p. 183.

² *La Religión Católica*, per José Mendive, 1883.

imo *forte plures sunt pro secunda* quia Augustinus et Chrysostomus eam defendunt ; Abulensis et alii apud eundem Suarez ibi. Ex alio vero capite manet semper *major claritas* in secunda sententia : ergo non est cur eam non defendamus etiam ut *theologicè probabiliorem*.”¹

This is surely another remarkable exception to the so-called unanimity among theologians. He not only allows the view which Fr. Murphy so strenuously condemns, but goes so far as to declare it worthy of being defended as even *theologically* the more probable. The Rev. Professor Mendive continues and asks, “Why are we not permitted to believe that God, instead of using the coarse and inorganic earth for the production of Adam’s body, took, let us say, an anthropoid ape, and transformed it instantly into a man, in some *supernatural* manner? In this manner the ape, by virtue of its natural powers would only have wrought the elementary rudiments of earth into the initial organism of man’s body, and prepared it in its earlier stages, and then when the limits of its operative powers had been reached, God, by a divine impulse, would have completed the perfection of the body so as to fit it for the soul.”

The ape could, of course, never have exceeded its own natural powers. It could never consequently of itself, elaborate man’s body in its entirety, but only in its earlier stages. It could prepare it up to a certain point, but then a divine (or at least a superior animal power) would be needed to carry it on and complete the work.

It would be (to take an imperfect illustration) as though a sculptor, intending to carve a statue, had employed inferior agents to hew and cut the marble from the quarry, and perhaps even to give the rough stone some rude outward semblance to a man, and then to have taken the knife and scalpel into his own hands and finished a perfect image, except that, of course, it is necessary in the case of God, that He should co-operate with every secondary agent.

The Rev. J. Brucker, S.J., though no advocate of Mr. Mivart’s theory, yet remarks that, “Quelques savants pensent qu’on pourrait appliquer le transformisme même à l’homme, sans porter atteinte à la Révélation.” After observing that such an opinion is not new, he adds:—“Un écrivain Catholique, très soumis aux décisions de l’Eglise,

¹ Arriaga, Disp. 34, sec. i. A.D. 1643.

très versé dans les études bibliques et en même temps très compétent en paléontologie et en géologie, et dont les travaux sont fort connus et fort appréciés du monde savant, m'écrivait récemment à ce sujet: '*Pour moi la difficulté ne commence qu'à la création de la femme.*'"¹

In addition to these I may mention the distinguished Professor of Theology in the Royal Academy of Munster, Dr. Bernhard Schäfer,² and also the famous Dr. Carl Guettler,³ as men of ability and learning who have refused to condemn the doctrine. Further, Fr. Knabenbauer is quoted in the same sense, and last, though by no means least, let me name the world-famed Jesuit, the late Padre A. Secchi, who also spoke of the doctrine we are considering as "not incompatible either with reason or faith," "mit der Vernunft und mit der Religion durchaus nicht unvereinbar."⁴

I must add in all fairness that Fr. Mendive himself utterly rejects the view which he permits others to cherish, but it is on biological and scientific grounds rather than on theological ones.⁵ So too Dr. Schäfer is very careful to disclaim any sympathy with a doctrine, which only by an effort he can bring himself to tolerate in others.⁶

¹ *La Controverse*—1er Oct., 1882, p. 428.

² *Bibel und Wissenschaft*.—Münster, 1881.

³ *Naturforschung und Bibel*.—Freiburg, 1877.

⁴ The following extract will sufficiently indicate the view of the learned author. I regret my inability to procure the Italian original, of which this is a translation:—

"Die Theorie von der allmäligen Abänderung der Art ist mit der Vernunft und mit der Religion durchaus nicht unvereinbar, wenn man sie mit der nöthigen Klugheit und Mässigung vertritt.

"Will man z. B. von der empfindungslosen Pflanze zum Thiere, welches mit Empfindung begabt ist, übergehen, so bedarf man einer neuen Potenz, die weder allein von den Organisationsverhältnissen, noch auch allein vom Stoffe herrühren kann. Und noch weit mehr wird man dies behaupten müssen, wenn man vom vernunftlosen Thiere zum Menschen aufsteigt, der nachdenkt, überlegt, und Gewissen besitzt. Man muss sich mit den natürlichen Kräften des Stoffes ein neues Prinzip verbinden, welches diese Wirkungen hervorruft. Unter solchen Vorbehalten kann man theoretisch mit den Transformisten unterhandeln." See *Die Grösse der Schöpfung*, von P. Angelo Secchi, 1885. 4th Edition, p. 22.

⁵ "Esta doctrina (Mivart's), que á primera vista no deja de parecer plausible, está sujeta á gravísimos inconvenientes, por los cuales se hace enteramente improbable," etc. p. 424.

⁶ "Meinen Gefühl widerstrebt eine so weit gehende Concession ganz und gar, und sie ist auch keineswegs nothwendig, etc."—Schäfer. See *Bibel und Wissenschaft*, p. 278.

In conclusion I will remind my readers that I am not in any way concerned with the truth or falsehood of the theory of the mediate creation of man's body. The objections against it are numerous and weighty, but there is no space for their consideration here, and I must reluctantly pass them by.

All I have striven to show is that, whether true or not, the view may yet be held without incurring any censure, and without showing any want of love and loyalty to our Holy Mother the Church, whose voice we must all recognise as the voice of Christ, and whose unerring lead it is ever our highest privilege and joy to follow. I need hardly say with what an unbounded sense of security I submit unreservedly to any decision the Church may come to on the subject under dispute.

JOHN S. VAUGHAN.

ETERNAL PUNISHMENT.

II.—WITNESS OF TRADITION.

WE have seen how in these days Protestants have fallen away from their old faith in an endless hell. The error is growing. As yet, indeed, most of them venture merely to hope that all punishment may cease some day, though far off into the ages; but this hope is "the little rift within the lute;" it will widen. After the sunset of faith there usually is a period of twilight which gradually but surely deepens into darkness; and so surely may we expect soon to see "the larger hope" develop into conviction, and Dr. Farrar and Dean Plumptre give place to bolder and more robust minds.

Meanwhile Catholics cannot remain mere spectators of the struggle. We have an interest in the teaching which is assailed; it is in great part our own; and we must be prepared to give some account of the faith which is in us when called on to do so either by opponents or by our brethren in the Church.

There are two points of Catholic faith: (1) that there is such a thing as endless punishment; and (2) that it will be inflicted on all who die in mortal sin. The

fourth Lateran Council teaches the two dogmas quite distinctly :

“ Omnes cum suis resurgent corporibus . . . ut recipiant secundum opera sua, sive bona fuerint sive mala; illi cum diabolo poenam perpetuam, et isti cum Christo gloriam sempiternam.”

Lest, however, there should be any doubt as to the “*illi*” who shall be punished for ever with the devil, the Council of Florence is even more distinct on that point :

“ Definimus . . . illorum animas, qui in actuali *mortali* peccato, vel solo originali decedunt, mox in infernum descendere, poenis tamen disparibus puniendas.”

When did these two doctrines become dogmas of faith? Did they both attain that rank at the same time? It is of importance to examine these questions before proceeding to defend the teaching of the Church. For by a defence of the Church's teaching I mean a sufficient proof that, before proceeding to bind her children to an assent of faith, she had just reason to believe that the doctrine was revealed by God. But it is often very difficult, and sometimes impossible, to decide whether at a certain time she had or had not just reason for such a belief, without first in some way determining the time when she began to command assent.

For we undertake to defend the Church mainly on Catholic principles; though, of course, we admit that our principles should be capable of ample proof. Now, it is well known that one of the proofs of doctrine which the authoritative teachers of the Church consider weightiest, is the fact that the doctrine which they are about to enforce had already been received by almost all the faithful. Moreover, it is part of the system instituted by Christ that doctrinal teaching should be developed as time goes on. Hence it often happens that what was at first but obscure and faint, gradually grows clear and clearer under the study of minds which are guided and enlightened by the Holy Ghost. The doctrine passes from the lecture-halls of professors into the teaching of bishops and pastors, and so on into the belief of the faithful. It is found to fit exactly with the whole body of Christian doctrine, which meanwhile had itself more or less undergone the same development. And remark, all this takes place under the influence of the Holy Ghost, who is promised to remain

with the Church to the end of time, ever guarding it from error and sweetly guiding it into the knowledge of every truth.¹

No wonder, then, that the teachers of the faith have always considered the *sensus fidelium* as one of the weightiest proofs that a doctrine was revealed. And no wonder either that the bishops might be justified at one time in commanding an assent, which they could not and would not have exacted at an earlier age. And hence it is manifest that it may be necessary to examine when first the Church authoritatively proposed a particular doctrine for the belief of the faithful, before undertaking to defend her right to do so. Even where such an examination is not necessary, it will nearly always be found very useful and instructive.

Of the two points which are of faith we know that the first—that there is an endless hell awaiting some—was dogmatically taught so early at least as the Second Council of Nice. Some time previous to the Council the Iconoclasts, the heretics of the period, met in a synod of their own, and drew up a confession of faith which is known as the *ópos* or “definition.” This *ópos* contained the following clause:—

“Si quis non confitetur . . . non fore terminum supplicii, sicut nec coelestis regni, . . . anathema.”

The whole document was read aloud before the General Council at Nice, as was also a refutation which had been prepared beforehand. Wherever the Fathers found anything in the *ópos* opposed to Catholic faith, they condemned it forthwith; but instead of an anathema against the clause on hell, we find these words of approval:—

“Haec primatum fidei nostrae, SS. scil. Apostolorum et egregiorum Patrum est segregatio [definitio]. Haec Ecclesiae Catholicae et non haeticorum est confessio.”²

Now remark, here we have the testimony not of one writer alone but of a whole General Council, not only of the Catholic Church but of heretics also; thus proving conclusively that the doctrine of an endless hell had already taken its place among the settled dogmas of faith.

Catholic writers generally say that long before the Seventh Council there were other definitions; they refer in particular to the Athanasian Creed, to the Council of

¹ See Franzelin, *De Traditione*, Th. xvii.

² See Harduin, vol. iv., p. 434.

Constantinople which condemned the Three Chapters (A.D. 553), and to various provincial Synods. It is not necessary for my present purpose to examine what is the true significance of these definitions, and how much weight should be attached to them. But I think there can be no doubt that, at least from the ordinary teaching of the Church—the *ordinarium magisterium*,—the doctrine of endless hell for *some* souls of men, had long previously been a dogma of faith. Remark, I say “an endless hell for *some* ;” for that is the first point of the Catholic faith, on which we are at present engaged.

To give in full the evidence in support of this assertion is altogether outside the scope of these papers. It occupies more than 170 pages of Dr. Pusey’s book,¹ and may be studied either there or in Petavius or Patuzzi by any one who wishes for further inquiry. But I may be allowed to call two or three of the more important witnesses.

I begin with St. Augustine. It is manifest on the face of his book “*De Civitate Dei*,” that whatever he may have thought of less advanced opinions, he considered complete universalism not only untrue but heretical. He tells us what happened at the Synod of Diospolis. Pelagius had taught that “in the day of judgment the wicked and sinners should not be spared, but should be burned up with eternal fires.” This was charged against Pelagius as a heresy,—as if, like Jovinian, he denied the forgiveness of *any* sin in the future life. He came before the Synod and defended himself in these words: “if any one thought otherwise he was an Origenist.” Thereupon the Bishops dismissed the case, understanding Pelagius, as Augustine tells us, to deny only “what in truth *the Church* most worthily *detests* in Origen, that they who the Lord says will be punished with an eternal punishment, and the devil himself and his angels, will after a time be freed.”²

From this I gather (1) that St. Augustine believed it to be the doctrine of the Church that there is an eternal hell for some men ; (2) that the Synod of Diospolis believed the same ; (3) that it was the belief even of the Pelagians ; and (4) that all these suppose that a denial of this doctrine would make one “an Origenist,” and would involve opposition to the teaching of the Church.

It is true that in the passage I have quoted and in

¹ “What is of faith,” &c., p. 129, &c.

² See St. Aug. *De Gestis Pelagii*, iii., 10.

many other places, St. Augustine, in mentioning what had been condemned by the Church, takes care to include the ultimate salvation of the devils. It should not, however, be concluded from this that the holy Doctor thought it permitted to believe in the salvation of *all men*; it would be only a lesser form of the error. His own words are sufficient proof. What does the Church detest in Origen? "That they who the Lord says will be punished with eternal punishment . . . will after a time be freed." And again:—

"Quis enim Catholicus Christianus, vel doctus vel indoctus, non vehementer exhorreat eam quam dicit [Origenes] purgationem malorum, i.e. etiam eos qui hanc vitam in flagitiis . . . quamlibet maximis finierunt, ipsum etiam postremo Diabolum et angelos ejus, quamvis post longissima tempora purgatos atque liberatos, regno Dei lucique restitui."

Now, though in strict Logic whoever asserts the truth of a copulative proposition, asserts the truth of each of its parts, and may be guilty of heresy in only one of his equivalently distinct assertions, yet I think any unprejudiced reader will have little difficulty in making up his mind from the foregoing extracts, that St. Augustine thought it heresy to believe in the ultimate salvation of all the souls of men.

St. Jerome represents a time somewhat earlier than St. Augustine's. St. Jerome's testimony is very important, as he is freely quoted in favour of the "liberal" view. Now, whatever may have been his opinion about those who die in the faith, it is quite evident that he believed the teaching of the Church to be, that infidels and heretics shall suffer endless punishment with the devils:

"Si autem Origenes omnes rationabiles creaturas, dicit non esse perdendas, et Diabolo tribuit poenitentiam, quid ad nos, qui et Diabolum et satellites ejus, omnesque impios et praevaricatores dicimus perire perpetuo, et Christianos, si in peccato praeventi fuerint, salvandos esse post poenas?"¹

And here I must take exception to a statement of Dr. Farrar's:² "If anyone will read St. Jerome's remarks on Is. v. he will see that while the saint very decisively rejects the salvability of devils, he invariably alters the

¹ In Is. cap. 66, ad finem.

² Mercy and Judgment, p. 286.

tone of his language when he speaks of men." I have read the passage pretty carefully, and do not find it so. Indeed, there is very little about the devils in the commentary on that particular chapter; and as regards men, let the saint speak in his own words:

"Qui saeculi deliciis occupati, nec respicientes opera Dei, captivi ducuntur in peccatum . . . detrahentur in gehennam, ibique *aeternis cruciatibus* deputati, &c."

And this is but quite in keeping with his teaching elsewhere:

"Diaboli et omnium negatorum atque impiorum . . . credimus *aeterna tormenta*."¹

Remark the plural number, "*credimus*;" and above, "quid ad *nos* qui . . . *dicimus*," &c.; does he not seem to speak as a representative Catholic and not in his private capacity? Remark also how he expresses his belief that wicked men shall suffer the same eternal torments as the devils. Yet Dr. Farrar writes² of the saint's use of "the vague terms 'eternal,' &c." Surely there can be no doubt that St. Jerome by "eternal" meant *endless* punishment when the devil is in question; why then should there be any vagueness when in parallel clauses of the same sentence he is speaking of men? But enough of St. Jerome.

It will be plain from these extracts—and they might be indefinitely multiplied—that at the opening of the fifth century the doctrine of an endless punishment for *some* wicked men was the faith of the Church. Now, this throws light on the meaning of the Athanasian Creed which was drawn up soon after.³

"Qui vero mala [egerunt, ibunt] in ignem aeternum."

It is said that the word "aeternum" does not necessarily mean "endless," but may well be translated "aeonian" without reference to end. It might be so translated at an earlier age; but at least after St. Augustine's time the word had a well-defined and well-known meaning in ecclesiastical language; and that meaning was

¹ In. ls. c. 66.

² Mercy and Judgment, p. 286.

³ "There is no need to enter here into the vexed question of its authorship, further than to observe that recent investigations have proved, almost to demonstration, that it cannot be later than the sixth, and is almost certainly earlier than the middle of the fifth century." Oxenham "Cath. Eschat." p. 99.

no other than "endless,"—a signification which it has kept to the present day.

There is no necessity for entering on the controversy about what was done at the fifth General Council. It is sufficient to have shown that even in St. Jerome's lifetime the Church believed in an endless hell for some rebellious souls. This brings us to the end of the fourth century, and I find it difficult to trace the doctrine further back as a *dogma*.

There can be no doubt that Origen believed in the possible restoration of all the damned. Neither can there be any doubt that this belief was shared by many of his followers in the century and a half that elapsed between their master's death and the days of St. Jerome. We know that at the beginning of the fifth century many were to be found with leanings towards Universalism. St. Jerome¹ says they were "*plerique*;" "*nonnulli imo quam plurimi*," are the words of St. Augustine.² But were all these considered heretics and outside the Church?

Non-Catholic writers, such as Dr. Farrar and Dr. Plumptre, answer, No; there were many of them good Catholics; some even are high on the Calendar of Saints. These writers hold that Universalism was the firm belief of St. Gregory of Nyssa; and that St. Clement of Alexandria, St. Gregory of Nazianzus, even St. Jerome and St. Ambrose, had leanings more or less in the same direction. There are Catholic writers of eminence, such as Petavius and Huet, who partly adopt the same opinion. On the other hand, the great body of Catholic writers seem to suppose that the dogmatic teaching of the Church was from the time of the Apostles what it is now. These authors acknowledge the error of Origen; it was not his only mistake in doctrine, and he was condemned by the Church. They admit that some of the Fathers were inconsistent in their teaching, owing to an imperfect acquaintance with the Christian faith; such, for instance, was St. Gregory of Nazianzus. Others again, such as St. Jerome and St. Ambrose, they explain in a Catholic sense. There remains St. Gregory of Nyssa, whose works are said to have been corrupted by the Origenists.³

It is not necessary for my purpose to express any

¹ In. Joan iii., 6, 7.

² Ench. c. iii.

³ See Oxenham, "Cath. Esch." chap. iv.; Patuzzi, l. iii., c. 17; Perrone, in l.; Mazzella, De Deo Creante, n. 1267; Pusey, "What is of Faith, &c.?" p. 215, &c.

opinion on the merits of the controversy. Even though it were true that some of the Fathers of the third and fourth centuries were more or less inclined to the "larger hope," that fact would not in the least affect the Catholic argument from tradition. On the contrary, it would in a measure strengthen our position, by affording another example of the beautiful development of doctrine in the Church of Christ.

There were four distinct stages in the "liberalism" of the Origenists:—(1) Some extremists held that for all both in heaven and in hell the future life shall be one of trial and probation; so that while the angels and saints might abuse their free-will and fall into sin, the devils and the damned might prove themselves worthy of God's love and friendship. (2) Others did not go so far, only maintaining the possible salvation of the devils and of all the damned. (3) Others again contented themselves with a belief in the future welfare of all human souls, confessing that the devils are beyond hope of redemption. (4) Finally, there were many who agreed that even some men shall suffer endless loss, but they limited the number either to infidels or to some other class much less numerous than the Church can acknowledge.¹

(1) As far as I know, there has been no Christian of modern times so blinded as to maintain the first of these opinions. It destroys the firm hope of good and perfect souls, and so it was considered heresy from the beginning; nor is any other name than Origen's quoted in its favour.

(2) Neither has the second form of the milder eschatology got much support from the Universalists of our time. They are content with the salvation of men, and they either give up the devils as beyond hope, or treat the question of their final state as "irrelevant and to us impractical."²

Now, considering the argument many Universalists rely on, this abandonment of the devils is inconsistent. They remind us of God's goodness and tender mercy; but surely if that merciful goodness is consistent with an endless punishment of devils, it is difficult to see what there is in human nature that can found a claim on the same God for very different treatment.

I do really believe that modern "liberals" give up hope for the devils simply because, outside the works of

¹ See August. *De Civ. Dei*, L. xxi, c. 16, &c.

² Dr. Farrar's words: see "*Mercy and Judgment*," p. 291.

Origen and perhaps of St. Gregory of Nyssa they can find no shadow of authority for any such sentiment of pity. Now, considering with what untiring zeal they have searched the writings of the Fathers for any stray sentence that might seem to favour a milder teaching, this want of authorities is pretty conclusive proof of what had been from the beginning the teaching of the Church.

Besides, against any such hope for the devils we have the positive testimony of the great body of the Fathers, nay even of the heretics of the time, some of whom inclined more or less to the moderate forms of the Origenistic Eschatology. And if we bear in mind that when this question was fully examined in the days of St. Jerome and St. Augustine, the inquirers must have been very much influenced by the traditional teaching, of which they could judge so much better than we, there can be no hesitation in deciding that this over-refined pity for the demons was at all times opposed to the dogma of the Church.

(3) (4) There remain still two forms of the Origenistic Eschatology, and it is difficult to deny that in the third and fourth centuries they received a certain amount of support from good Catholics within the Church. This is particularly true of the opinion that all shall be saved who die in the Christian faith. I will quote one extract from St. Augustine:—¹

“Creduntur autem a quibusdam etiam ii qui nomen Christi non relinquunt, . . . in quantislibet sceleribus vivant, quae nec diluant poenitendo, nec eleemosynis redimant, sed in iis usque ad hujus vitae ultimum diem pertinacissime perseverent, salvi futuri per ignem. . . . Sed qui hoc credunt, et tamen Catholici sunt, humana quadam benevolentia mihi falli videntur, &c.”

They were *Catholics*, and yet entertained that hope.

Nevertheless, modern Universalists and their sympathisers do injustice to the Fathers of the third and fourth centuries. The following in particular are relied on: St. Irenaeus, St. Clement of Alexandria, St. Gregory of Nyssa, St. Gregory of Nazianzus, St. Jerome, St. Ambrose, and St. Chrysostom.

I have never yet seen any extract from either St. Irenaeus or St. Clement or St. Gregory of Nazianzus, which may not be interpreted in a Catholic sense. They

¹ Enchir. n. 18.

insist on the universality of *redemption* but not of actual *salvation*; they insist on the existence of a Purgatory, but at the same time they frequently threaten an endless hell. St. Gregory would allow *refrigeria* to the damned, and so would many of the Fathers, as also good Catholics may at the present day.¹ The same holy Doctor may not be quite positive about real fire in the literal sense, but that was quite consistent with a belief in everlasting punishment.²

I would freely admit that passages may be quoted from St. Jerome and St. John Chrysostom, and one from St. Ambrose, which seem to favour a wider hope than Catholics can allow. At the same time bear two things in mind:—(1) that these same Fathers undoubtedly believed in an endless punishment for *many* even of the souls of men; (2) that they have written innumerable other passages which are inconsistent with any belief that all who die Christians shall ultimately be saved. I will try to illustrate my meaning from St. Jerome.

He believed most certainly in an endless hell, and not for the devils only but for many men:

“Diaboli et omnium negatorum atque impiorum . . credimus aeterna tormenta.”³

He seems to say that all Christians shall be saved at last; for in the same sentence he goes on:

“Peccatorum [vero] atque impiorum et tamen Christianorum, . . . moderatam arbitramur et mixtam clementiae sententiam Judicis.”

¹ See Mazzella, de Deo Creante, D. 6, A. 7.

² Space will not allow me to quote and explain the various extracts from the works of these Fathers; any one can see them for himself in “Mercy and Judgment.” The strongest of them is this from St. Gregory: “I know a fire not purgatorial but penal, whether that fire of Sodom . . . ; or that which has been prepared for the devil and his angels; or that which goes before the face of the Lord, and shall burn up His enemies round about; and one which is still more fearful than these, which have been joined with the sleepless worm, a fire which is not quenched, but is co-enduring with the wicked. For all these pertain to the force of destruction, unless any one likes, even in this instance, to understand this more humanely and worthily of Him who punishes.” (*Orat.* xl.) On this Dr. Farrar remarks: “It certainly means that there will be a terminable future retribution; but I believe further that it implies, at least, a doubt whether *all* retribution may not be ultimately terminable.” (*M. & J.*, p. 252.) But why should God’s “humanity and worth” be limited by *duration* and not extend to the *quality* of the sufferings? Or why should it extend to *all*?

³ In *Is.*, c. 66.

And he had said before :

“ Si enim Origines omnes rationabiles creaturas dicit non esse perdendas, . . . quid ad nos qui et diabolus et satellites ejus . . . dicimus perire perpetuo, et *Christianos omnes*, si in peccato praeveniti fuerint, salvandos esse post poenas.”

Nevertheless, I am convinced that one careful perusal of St. Jerome's two books against Jovinian, would convince any unprejudiced mind that the saint believed it possible for Christians to be damned. Let me give two extracts as specimens. Jovinian asserted that all sins are equally offensive to God, and deserve equal punishment; here is St. Jerome's reply :¹

“ De eo autem quod niteris approbare convicium et homicidium, raca et adulterium, et otiosum sermonem et impietatem uno supplicio repensari . . . breviter respondebo. Aut peccatorem te negabis, ut non sis reus gehennae : aut si peccator fueris, etiam de levi crimine duceris ad tartarum . . . Aut igitur homo non eris ne mendax sis; aut, quia homo es mendax fueris, cum parricidis et adulteris punieris.”

See how he distinguishes the lesser from the graver sins, separating also the places where they shall be punished. Murderers and adulterers shall go to *Gehenna* or *Tartarus*,—we know what that meant to St. Jerome; not so, however, those who have merely uttered idle words or told lies. Neither does he allow any hope for the Christian murderer or adulterer.

There is even a plainer expression of this teaching in the second last paragraph of the second book. The saint refers to the popularity of Jovinian :

“ Tibi cedunt de via nobiles, tibi osculantur divites caput. Nisi enim tu venisses, ebrii atque ructantes paradysum intrare non poterant.”

Nor is it any reply to say that the “ ebrii atque ructantes ” were heretics also; for their very heresy consisted principally in saying that, though “ ebrii atque ructantes,” they were sure of heaven, because, as St. Jerome puts it :²

“ Qui semel in Christo baptizatus est cadere non potest.”

If, therefore, St. Jerome sometimes gives expression to a hope for all who die in the Christian faith, he also takes

¹ No. 31 (373).

² Ibid.

care very frequently to remind the faithful of the hell that is prepared for the punishment of *their* unrepented sins. And what has been said of him is even more applicable to some of the other Fathers, particularly to St. Ambrose and St. Chrysostom.

The true explanation of these inconsistencies—for such they seem to be—will be found to have an intimate connection with the Pelagian controversy. Everyone knows the relation of mortal sin to hell, of venial sin to purgatory. What is mortal sin? Which sins are mortal and which venial? You may not know; but if you knew which sins deserve hell and which purgatory, you might be able more easily to answer the former questions.

Now, in the present order of Providence, mortal sin is the privation of sanctifying grace, and that grace itself is the seed of the *lumen gloriæ*. But the doctrine of grace was not at all developed down to the Pelagian controversy. Of course the principles were contained in the *depositum fidei*; but it sometimes takes centuries of careful cultivation before principles can be got to yield the particular conclusions whose germs they contain.

This is specially true of times of peace. The work of the Church goes on in its usual round; prayers are offered, sacraments administered, souls saved, and often the very ministers of the Church will not know all the efficacy of the means they employ. Yet there are the means, fact-sermons, great mines of dogma; and when time has gone by and some proud intellect rises up against them as superstitious practices, then the Church will be sure to find out their significance and to defend them from scorn and reproach. Thus the times of controversy are most fruitful in dogmatic conclusions, in explanation and expansion of principles, and in harmonising the results so obtained with the great body of dogmatic truths.

So it was with the doctrine of grace. The principles were there from the beginning; they were applied practically for four centuries through sacraments and other means of sanctification; but the doctrine had not taken shape. There was no occasion or necessity for any careful study, and there were other controversies pressing on the teachers of the Church. Pelagius rose and created the necessity, which the bishops provided for by a more careful examination of the whole question; and so a new continent as it were was added to Theology.

It should not surprise us that, before this new world

was thoroughly explored and mapped, there should have been many regions of which the Fathers had but an indistinct and scattered knowledge; and such was this region of sin and its punishment. Hence in St. Augustine's books, as also in the productions of Pelagius, Julian, and Jovinian, the two questions of grace and sin went side by side. They depended on each other; they explained each other. The elevation of man, the fall, original sin, personal sin both mortal and venial, the state of children who die unbaptised, the nature of repentance, the future purgation, the eternal loss, the happiness of the blessed,—these all took shape in the great mind of Augustine. He picked out the scattered threads that ran through the Scriptures and the early tradition. Every student of Theology knows that his writings are the great storehouse from which the teachers of all succeeding ages have plentifully drawn. And before his eyes were closed in a holy death he had the happiness to witness the triumph of the truth, and he left behind him a system which the great schoolmen might harmonize and adorn, but which the greatest of them would think it a sacrilege to pull down or even to change.

Hence I am not surprised or shocked at inconsistencies in St. Jerome or St. Ambrose. They lived before the time when these great doctrines settled into form and shape. We might draw parallels between them and great minds in after ages. In the *Summae* of the old scholastics may be found many opinions which did not stand the scrutiny of the Reformation controversy. Shall we give up the Tridentine decrees because they may not be squared with every sentence which was ever written by Hugh or Richard, by Scotus or St. Antoninus? Who would now seriously argue against the Infallibility from the fact that Bossuet and many others openly defended Gallicanism? And surely, if even in modern times revealed doctrines may pass through an era of doubt, inconsistency, and controversy, why should not the same and much more be true of the days of St. Gregory and St. Jerome?

II.—But it is time to return to the second point of Catholic faith,—that endless hell is the punishment awaiting all who die in mortal sin. My remarks must be brief, but I will explain this portion of the subject more fully in a future paper on purgatory.

I have said that in the days of St. Jerome the Church taught an endless hell for *some*, but had not yet definitely

settled the boundary line which should divide unrepentant sinners into two very distinct classes—those who will be purified and saved, and those who shall be for ever lost. No one could read the works of the Fathers of the second and third centuries without being convinced that they believed in a purgatory and in a hell, in sins mortal and in sins venial;—though they may appear at a loss to distinguish, as it were *in specie*, which were mortal and which were venial sins; which could be burned out by the fire of purgatory, and which others should endure the torment of hell.

And no wonder the Fathers should have found this task difficult; it has not even yet been fully done, and it never can be. The Schoolmen, and after them the Casuists, laboured at the task for centuries, and the result has been to give us a working system of Moral Theology sufficient for the necessities of the ministry; but even now we are not much nearer to a knowledge of *all* mortal and of *all* venial sins.

The Pelagian controversy gave a powerful impulse to the development of this portion of the Church's doctrine; but the full growth was the work of time. When necessity urges, the Holy Spirit can force on the Church's teaching, as of old in one night He raised a perfect gourd; but that is not the way of His ordinary providence. In peaceful times dogma grows with the prayers and tears and vigils of many generations of saints and scholars; and so it was with the elaboration of the distinction between mortal and venial sins. It passed incomplete from St. Augustine to his immediate disciples, and from them to the schoolmen; it was dark ground enough until illumined by the genius of St. Thomas.

Remark how slowly but surely the doctrine developed. (1) From the very beginning it was known that the devils shall be endlessly punished; and it is evident from the actions of the faithful that they believed themselves exposed to the same deadly peril. Why else did they brave the storms of ten persecutions? (2) Hence when Origen's error became practical,—when it began to spread among the faithful that, after all, future punishment might cease at length, the Bishops took care to preach the contrary. (3) Yet this preaching might be pushed too far. It would not do to teach the faithful that even the least sin deserves eternal chastisement; that would destroy the virtue of Hope. Hence when Jovinian and Pelagius thus erred on the side of rigour, the Church kept on in the safe middle way. (4) But which sins are mortal, and which

venial? This question was never urgent, and so the answer was allowed to develop itself in time.

St. Jerome knew of some sins which are mortal, like infidelity, murder, adultery; and some which are only venial, such as lying and idle words.¹ St. Augustine added much to the stock of knowledge, and cleared up many doubts about the efficacy of faith. Even he did not leave behind him anything like a completely elaborated distinction; but as theology became more scientific under the influence of the Schoolmen, there was a clearer apprehension of the distinction between mortal and venial sins. This was found to be a convenient and most natural division of offences against God; and so it came to be well-known and recognised. Finally, at the Council of Lyons,² it passed into the authoritative teaching vocabulary of the Church.²

I have given no formal proof; for the proof of a tradition is its history. Any Catholic who believes what has been so far written, cannot on Catholic grounds have any difficulty about the teaching of the Church. And it is on Catholic grounds I have so far defended that teaching. Above all remember that the Church is not a mere custodian of the faith, to wrap her talent in a napkin and bury it, or to keep it safe under lock and key. She is a teaching power; she develops the deposit that was given her, always with the assistance and under the guidance of the Holy Ghost. This could not be if in the beginning there was no obscurity of doctrine; you cannot illumine the broad day, or enlarge the branches of a full-grown oak. And when the development has taken place, Catholics are bound to receive the Church's teaching, even though it be in advance of what was known to the most learned of the first Fathers of the faith.

W. McDONALD.

¹ *Supra*, p. 434.

² The division of sins into *mortal* and *venial* may be found substantially in the writings of the earliest ages of Christianity. The form of words was introduced later on. We often find the words *venial* and *mortal* in the works of St. Jerome and of St. Augustine, but not as recognised terms to designate a well-known division, such as they now are in Catholic theology. St. Augustine uses the terms *modica*, *minuta*, *quotidiana*, *parva*, &c., as often as the term *venialia*; something similar may be said of mortal sins. It is to the Scholastics we owe nearly all our terminology. This division of sins into *mortal* and *venial* was in common use among the Schoolmen long before the Council of Lyons. All previous definitions were vague, like the "qui mala egerunt" of the Athanasian Creed; the Council of Lyons has the more definite form: "qui in mortali decedunt."

SCIENTIFIC NOTICES.

THE SENSE OF FEELING.

A PAPER recently read before the Physiological Society at Berlin by Dr. Goldscheider makes public some investigations of an unusually interesting character respecting what he calls "points of sensation of warmth, coldness, and pressure in connection with the sense of feeling."

This is a new outcome of inquiries which have for more than half a century engaged the attention of scientific men, and tends to remove any doubts which may be entertained as to the correctness of the conclusions which have been thence deduced. They are curious and interesting in themselves quite apart from any consequent deductions, but have of course a far higher value, inasmuch as they meet and explain difficulties which seemed to stand in the way of the reception of the great truth which underlies the whole question.

In 1826 Müller laid down the most important principles of the theory which we have now to consider in its latest development and application. It is called the theory of the specific action of the senses, and can be briefly explained thus. All that we apprehend of the external world is brought to our consciousness by means of certain changes which are produced in our organs of sense by external impressions, and transmitted to the brain by the nerves. What we directly apprehend is not the immediate action of the external exciting cause upon the ends of our nerves, but only the changed conditions of the nervous fibres, which we call the state of excitation or functional activity. All the nerves have the same structure, and the excitation is a process of precisely the same kind, whatever be the function it subserves. All the nerves have the same electro-motive action—it is propagated with the same velocity of one hundred feet per second—all nerves die when subjected to like conditions. "We conclude then," says Helmholtz (whom we are quoting in a very condensed form), "that all the difference in the excitation of different nerves depends only upon the difference of the organs to which each is united, and to which it transmits the state of excitation."

Sensitive nerves, when they are irritated, produce

sensation because they are connected with sensitive organs. The kind of sensation entirely depends upon what sense the excited nerve subserves, and not at all upon the method of excitation we adopt.

No kind of action upon any part of the body except the eye and the nerve which belongs to it can ever produce the sensation of light. But it is not light alone which can produce this sensation of light upon the eye; a weak electric current passed through the eye, a blow, a slight pressure on the eyeball makes an impression of light in the darkest rooms. Hence we conclude that every action which is capable of exciting the optic nerve is capable of producing the impression of light.

Helmholtz in the lecture we have been quoting in so summary a fashion is treating only of vision; but what is true of the sense of sight is equally true of the other senses, as he over and over again insists. It is with the sense of feeling that we have now to do; regarding which Dr. Goldscheider has made such careful investigations and has brought to light such surprising results.

Now this sense of feeling presented a special difficulty to the reception of the theory, inasmuch as there are five different qualities comprised within it, namely, pain, pressure, tickling, warmth, and cold. This seems to necessitate different nerve-terminal apparatuses to be distinguished, each endowed with its own specific energy. Is it so? What does experiment say in answer to this difficulty? Are there the nerve-terminals required for these five different forms of feeling, or does the theory break down under the severe ordeal? Dr. Goldscheider replies by his personal experiments, for he is both operator and subject, that all that are required are there in each one of us, if we have but his patience and diligence to distinguish them and to bring them into action.

Let us take, with him, the sense of temperature. He tested the skin by means of rounded metal points, and found that there were a very large number of points on the skin which were sensitive to cold, and also a number of other points which were sensitive to warmth. These were unequally distributed over the body, and decreased in number and density towards the periphery. A curious fact was that they appeared to stand in a certain contrast to the fineness of the sense of touch, being found more rarely when the sense of touch was very delicate. But these points stood not alone and isolated, but were ranged

together in the form of chains, and, moreover, several of these chains of cold or warm points radiated from one point in the skin. About eighty per cent. of these radiating centres were severally at the root of a hair, but all hairs did not cover radiating centres, nor of course did all centres radiate from a hair. Again, the chains of cold points never coincided with those of warm points, but the two sets of chains lay adjacent to each other. The cold points alone were capable of generating cold impressions, while all other points of the skin never excited such cold impressions. And now follows what is specially curious and remarkable. There were *differences* among the cold points. Some gave rise only to feelings of coolness, while others, even under weak stimulations, always produced an intense feeling of cold. So it was with respect to the warm points. Some generated the feeling of lukewarmness, others that of warmth, and others, again, that of severe heat, *no matter what the degrees of stimulation in the three different cases*. Moreover, however various the stimulants, not only change of temperature, but mechanical and electrical stimulations—all equally produced the feeling of cold at the cold points and of warmth at the warm points. Again, neither the cold nor the warm points were sensitive to pain, the prick of a fine needle produced no painful sensation. The cold and warm points were anatomically sharply defined, and were constantly found at the same spots of the skin. Repetitions of the experiments on the same spots would weaken the impression, apparently wearying them, but a short rest would enable them to recover their sensibility.

Again, with regard to the interval between these points, it was found that the least distances at which two cold impressions were distinctly felt from each other varied, where there were but few cold spots, from one-fifth or one-fourth of an inch as a maximum to one-thirtieth as a minimum. As the outcome of a general topographical survey of his own body, Dr. Goldscheider found the cold points exceeded the warm ones in number; that there were parts of the skin where neither warm nor cold points occurred; that other parts which contained a few cold had no warm points; while there was no spot in the body where there were warm points without cold ones adjacent. Another distinction was, that in the outspreading areas of the sensory nerves warm and cold points were numerous, but that they are sparingly found in the middle lines of the body, as also over the bones.

What now is the effect of change of temperature on the skin? A rise in temperature generates a feeling of warmth, because it excites the warm points, while a depression of temperature creates a feeling of cold by stimulating the cold points. The experiments on the contrasting effects of temperature were very easily explained by this theory, when it was considered that each stimulation of the cold or warm points blunted them a little, and so rendered them more insensible to the next stimulation. It appears that Herr Blix had previously demonstrated the existence of cold and warm points and had tested them by means of electrical excitation. Dr. Goldscheider learned this subsequently to his own investigations, and as the two series of observations were quite independent and covered one another, their complete coincidence of course strengthens the value of the results obtained.

But Dr. Goldscheider did not rest content when he had obtained these valuable and interesting results of his investigations into the specific energy of the sense of feeling in respect to the sense of temperature; so he next applied himself to the examination of the sense of pressure; and for this, of course, he required another kind of apparatus, but one almost as simple as the rounded metallic points which had done him such good service in his previous investigations. The sense of pressure is investigated by means of fine cork points attached to a spiral spring. He found the sense of pressure likewise distributed over the skin in the form of points; and these points of pressure, which, he it remarked, coincided neither with the cold nor warm points, but occupied altogether special spots of the skin,—the sites of special nerve-apparatuses—were also arranged in chain-like rows, these rows likewise radiating from particular points.

The outcome of this new series of experiments was, that, on the whole, the results in respect of the pressure points were found to correspond with those in respect of the temperature points both as regards their distribution and the mode of their specific activity. The localization of the sensation of pressure was still finer than that of the sense of temperature. The smallest distance at which two neighbouring points of pressure could be recognised as distinct amounted to one-tenth of a millimeter, or one two-hundredth-and-fiftieth part of an inch. Thus we see that for the sense of pressure just as much as for the sense

of cold and warmth, the existence of specific nerve terminal apparatuses provided with specific energies was demonstrated.

In reference to the sensation of pain Dr. Goldscheider was of opinion that no special nerves were to be assumed: but for this opinion he does not appear to have given any reason. In conclusion, he said that he thought, on the other hand, that between the cold, warm, and pressure points, lay the terminal apparatuses of those nerves of feeling which produce specially the sensations of touch.

Such is an abstract of this important paper, in which we have kept as closely as possible to the precise language of Dr. Goldscheider, which is certainly remarkable for its perspicuity and simplicity: the facts to be recorded being too valuable and the earnestness of the investigator too intense to admit of any but the plainest expressions.

There is no attempt to put these facts together and to deduce any conclusions; for Dr. Goldscheider is content to make his minute investigations and to record them with the greatest care: he seems to leave it to his hearers and readers to put them, as it were, into shape, and to show how they harmonize with previous investigations with respect to the other senses. If we venture briefly to attempt this, it must be on our own responsibility, and with due submission to the judgment of our readers.

What has been shown by Helmholtz and Tyndall, whose duty it has been to group together the investigations of others and to supplement them with researches of their own, with respect to the eye and the ear, is here shown by Dr. Goldscheider to be true of the whole human body.

The apprehensions of cold, heat and pressure, are brought to our consciousness by means of certain changes which are produced in our organs of touch by external impressions, and transmitted to the brain by the nerves, just as truly as the apprehensions of sight and hearing by the nerves that belong to those organs. The waves which impinge upon the eye, and, modified and adapted to the end in view in their passage through its various parts, set in accordant vibration the cones and rods of the retina, and convey by their motion the necessary visual notes to the brain, and thereby—we know not how—we see, are in strict accordance with the waves of sound that set the tympanum of the ear vibrating, and pass their motions through the convolutions and across the inner lake

on whose opposite shore the nerves of sound are awaiting to convey, each its own vibrations, to the brain, and—we know not how—we hear: so we now learn that the vibrations which reach our bodies, come from what source they may, set in motion the nerves of different orders and with different ends, and convey to the brain the sensation of heat, or cold, or simple touch. And as in the former cases the waves, according to the comparative number of their vibrations, produce in us the sensations which the mind interprets into particular colors through the eye, or selecting on the same principle the proper nerves in the ear, convey the distinct impression which is similarly interpreted by our mind into distinct and different notes, so each system of points in the body responding to accordant vibrations from without, sings as it were its own note, or paints, as we might say, its own color, which in its language is heat, or cold, or pressure.

The vibrations come, it may be, to every part of the body, but each nerve is silent and motionless unless it is in unison with those vibrations, just as the nerves of the ear, are deaf, so to speak, to every sound whose vibrations are not the same as their own: just, too, as a musical string tuned to a certain pitch, which with its length determines its number of vibrations in a second of time, will respond to sounds which reach it from another instrument only when that other has vibrations corresponding to its own; and as the eye is blind to colors which come in vibrations above or below its range, and the mind recognises nothing but what comes to it with the ordained velocity.

All this, we see, is in strict accordance with what we have learned before with regard to other senses, and so the body, like its eyes and ears, has its nerves, spread of course over its wider surface, but as complicated in one sense and as simple in another, as those which have made the study of the eye and ear so fascinating to the thoughtful mind. The arrangement in some respects seems the same in this last subject of what might almost be called revelation: for though the nerves of the body have different functions to discharge, and so their grouping together must necessarily be more complicated than that of the eye or ear, each of which has but one special duty, yet there is, we cannot fail to have remarked, the same general principles. As heat is to be of different kinds, there are nerves which respond only to lukewarmness, others to

warmth, and others again to severe heat. No matter how we increase the pressure which acts upon the nerve it will tell but its own degree of heat; the lukewarm can never bring about the sensation of a greater heat—just as a musical string, however we may increase the amplitude of its vibrations, will never make more than its own proper number of vibrations in the given time; we can make it sing louder but not a different note,—so when the cold waves come over the body—come, it now seems of necessity, in number of vibrations in accordance with their own temperature, it sweeps unheeded over the points where warmth in all its degrees finds its due response, and touches effectively, and so sets in motion those, and those only, which have vibrations like its own, and we become conscious of the degree of cold.

HENRY BEDFORD.

ON THE TELEPHONE IN RELATION TO THE SACRAMENT OF PENANCE.—II.

IN my last communication to the RECORD I showed the favourable opinion and sanction which my considerations and conclusion on the scientific part of the above question had received from Professor Ryan; and again quite recently from Lord Rayleigh.

I must now take up once more the thread of the story of my correspondence with the former, in order to introduce and duly explain the appearance of what is to form the chief matter of the present article.

In writing to thank Professor Ryan for his obliging letter, and the valuable information it contained, I at the same time represented to him that much as I should now like to supplement what I had already written on the subject by a further communication, yet I could not satisfactorily offer any fresh Article to the RECORD, expressing my own conclusion that the human voice may be said to be heard through the telephone, without going into questions of physics, and controverting in some degree principles of science commonly accepted, and generally supposed to be ascertained truths. For were I, in discussing a question professedly scientific, to confine myself simply to considerations of philosophy and common

sense, even though these, and the conclusion I had based on them, had been sanctioned by eminent authority, I should justly lay myself open to a charge of arbitrarily theorising, and of using merely general and irrelevant arguments on a technical matter I was really incompetent to handle; and in fact of dealing with it as a pure phenomenist, whilst I was at the same time shelving and conveniently avoiding grave difficulties and objections which a well-established and recognised theory of acoustics opposed to my views. I explained, moreover, that there had already appeared in the RECORD a very able Article by Fr. O'Dwyer, whose arguments, on the lines of science he adopted, were to my mind, quite conclusive against my opinion; that this Article had been written after an express appeal on my part to the verdict of Science, and was kindly undertaken in acceptance of an invitation I made that some one versed in physical science should write on the question in the pages of the RECORD. It seemed to me then that science must be met by science; for that to whatever extent an opinion was philosophically *true*, it must be also true scientifically; and consequently, so far, at any rate, be capable of scientific demonstration, and of being shown to be more, or certainly not less, in accord with ascertained truths and principles of physical science, than its contrary. If, therefore, I wrote again on the question in the RECORD, the opinion I advocated must somehow be set on a scientific basis, and the objections and difficulties suggested by Fr. O'Dwyer's Article must be scientifically encountered. But all this I confessed my inability to do, as I was in no sense a physical scientist. At the same time I sent the Article to Professor Ryan.

He replied by saying that Fr. O'Dwyer had written a very able and lucid Article, and had made out a very strong case; but that on account of great pressure of necessary occupation it would be quite impossible for him then to give me such a full and complete reply as he could desire. He went on to say:

"I enclose you, however, a very rough draft of what I might be inclined to say in answer to Fr. O'Dwyer. The time is too far past to say all now as I should wish. The composition is feeble and full of errors. It is hurriedly scratched off, as I cannot really pretend to deal with the question fully in the short time I can get. It may perhaps suffice for what you want. It is now yours to do whatever you like with, whether to use in my name as it stands, or to appropriate the matter in any article you may write."

It will, I feel sure, be deemed desirable on all hands, and on every account, that Professor Ryan's communication should appear in the pages of the RECORD in its original integrity, and exactly as he himself wrote it for me. It is as follows:

"I do not think that the question whether the human voice is heard through the medium of the telephone or not can be considered as settled by the lucid article of Fr. O'Dwyer.

"When we say that we hear the human voice under any circumstances, we use an expression which, though popular and quite admissible, is yet unscientific. Usually its meaning is obvious, but it is not easy to give an exact scientific definition of it which may decide doubtful cases. This being so, every controversialist can place his own limits to its meaning, and prove his case accordingly. Thus Fr. O'Dwyer practically defines the expression in a way that puts the telephone out of court and then goes to the trouble of proving that on his assumption one cannot hear the human voice through the medium of that instrument.

"Now, as the expression is distinctly a popular one, and certainly unscientific, the question should be decided in accordance with popular ideas.

"It is, in fact, a point for a jury to settle though there cannot be any doubt that the popular verdict would be in favour of Fr. Livius's conclusion. Indeed, the expressions commonly used in describing telephonic intercourse sufficiently establish this. It is a case where common sense is more to be relied on than elaborate philosophical disquisition. The listener knows that the sounds he hears at the receiver of the telephone are caused by some one speaking in front of the transmitter: he recognises the peculiarities of his accent and identifies the voice of a friend, and therefore he has no hesitation in saying that he has heard his voice. This is the verdict of common sense, and therefore before examining the scientific grounds on which the contrary opinion has been based, I would point out that these should be very strong and satisfactory to compel us to assent against the evidence of sense.

Father O'Dwyer says:—

'It cannot be denied that the sound which falls on the ear of the listener at the end of the telephone is caused by the vibrations of a metal plate, whereas the sound made by the speaker's

voice was caused by the vibrations of his vocal organs.' At the same time he tells us that sound 'passes through the air, gases, solids, by setting their particles vibrating in correspondence with the sounding body.'

"I will therefore take the liberty of adopting his language to the case of an ordinary conversation in the open air, thus: 'It cannot be denied that the sound which falls on the ears of the listener is caused by the vibrations of the intervening particles of air, whereas the sound made by the speaker's voice was caused by the vibrations of his vocal organs.'

"So then we never hear the human voice at all. We merely hear the particles of air, which were in the first instance agitated by the speaker's vocal organs, as really and truly as the membrane of the telephone receiver was primarily set in motion by the same means.

"Let us suppose a man to be shut up in an air-tight, thin wooden box. His voice might be heard for a short time before he would be suffocated, or rather I should say, in accordance with Fr. O'Dwyer's view, the sides of the box might be heard for a short time, but not the man's voice. Would Fr. O'Dwyer hear his confession? I think he would, as he considers sound transmitted through wood as the original orthodox disturbance, and yet the sides of the box would be as truly the originators of the sound-waves that would affect his ears as the membrane of the receiver of the telephone.

"The same may be said of any continuous partition, however thin, which separates priest from penitent; and though the circumstance I have imagined is a highly improbable one, chosen merely for simplicity and clearness, the same argument might be applied to any other case of hearing; for sound is always transmitted by material particles, everyone of which becomes the centre and origin of a sound-wave, and is thus in the position of the membrane of the telephone receiver, or the sides of the box just instanced. Consequently, if it can be said that we do not hear the human voice through the telephone, because the membrane is the immediate origin of the sound-waves which affect our hearing, with equal truth may it be said, that we never hear the human voice in any case.

"But this is not Fr. O'Dwyer's main point. He relies principally on the solution of continuity in the sound-wave which takes place at the transmitter.

"He regards the sound as destroyed at the transmitter,

and re-created at the receiver. Before discussing this, I must say that Fr. O'Dwyer draws a distinction between identity and similarity in sound-waves, which seems somewhat arbitrary. In one place he says :—

‘ Unless that identical vibration is renewed, you cannot truly say that the same sound is reproduced. You may have a similar sound, one containing exactly the same number of vibrations ; but you cannot have the same sound.’

Again he tells us that :—

‘ As far as observation has gone, sound and vibration are identical.’

“ I may therefore substitute the word *vibration* for *sound* in the above-quoted passage. It will then read thus :—

‘ Unless that identical vibration is renewed, you cannot truly say that the same vibration is reproduced. You may have a *similar* vibration, one containing exactly the same number of vibrations ; but you cannot have the *same* vibration.’

“ Now if we consider a particle vibrating at two different times, the only justifying plea we can have for calling these two separate sets of vibration *identical*, must be that the number of vibrations in a given time are the same (the amplitude of the vibrations being supposed unaltered). Nothing but exact mechanical similarity (sc. in the method of motion, the amplitude of vibration, and the periods of alternation) can constitute *identity* between the vibrations at different times of the same or equal particles : cause and effect have nothing to do with it. If vibrations, or the motions that propagate sound, can be said to be *identical* at all, it must be because they are mechanically *similar*, and not because they are historically related to each other as cause and effect.

“ Thus Fr. O'Dwyer is not strictly logical in arguing that exact similarity of vibrations does not constitute identity, and, at the same time, saying that however far the vibration caused by touching a piece of timber is propagated through the timber, “ *it is still one and the same sound.*”

“ To put it clearly, on Fr. O'Dwyer's principle, one would call the motions of two billiard balls “ *identical*,” if one has derived its motion from that of the other, without regard to rate ; while the motions of two equal balls, moving at exactly the same speed, but having derived their impulses

from separate sources, would be merely "*similar*." For my part, I consider the word *identical* inapplicable in both cases; but as sound is vibration, if identity can be predicated of two sounds, it should depend on the identity of the periods and amplitude of vibration, and on the equality of the masses of the vibrating particles—in fact, on mechanical and material similarity.

"Therefore, the sound-waves proceeding from the telephone, being mechanically similar to those falling upon it, are as much and as little entitled to be regarded as identical with the latter, as if they had been produced in the ordinary way,—neither more nor less.

"The preservation of individuality in what is called a sound-wave, or a series of waves, does not warrant us in describing succeeding vibrations as identical with preceding. There is no exact conservation of motion, or vibration, or sound. Energy is the only thing which persists and is conserved through all transformations, and for which identity can be claimed at the end of its passage. In every case of hearing, a small fraction of the energy which has been converted into sound-waves by the speaker, finally affects the ear of the listener; and whether that portion of the energy undergoes more or less transformation in character or quality, it alone preserves its individuality.

"In the text books the propagation of sound is represented as effected by the impact of elastic particles which collide and rebound. If we imagine these particles to be merely like tennis balls, we must admit that the transformation of mechanical energy into electrical energy in the telephone wire, constitutes apparently an important difference in the method of propagation. It should be remembered, however, that the transmission along the wire is practically instantaneous. The time occupied is much too short to be perceptible on ordinary lines. The person at the receiver hears the speaker's voice (or, *the voice of the membrane*)—say, a mile apart—before a person standing three feet from the speaker would hear him. The two membranes are practically working together; and so far as time is concerned, the listener might have his ear less than half an inch distant from the membrane of the transmitter. The inappreciable interval of time during which the energy of the original sound-wave is being transmitted along the wire, hardly forms a solution of continuity. The energy is active all the while.

"In the string-telephone the membranes are connected

by a piece of string, and the motion of one membrane is transmitted to the other by the mechanical pulses of the string. These are sound-waves, but somewhat different from the waves in air.¹ The time taken in this case is relatively much greater than in the electrical telephone, but less than in air. If Fr. O'Dwyer had been so disposed, he might have used the same arguments in connection with the string-telephone that he has used in the case of the electrical, on the score of its differing from the ordinary method in its transmission of sound, and he might have said of it also, 'We know no such medium for the conveyance of sound.'

"If it be contended that the conversion into electrical energy in the telephone is fatal to the essential continuity, I would point out that a transformation of energy is continually taking place even in the transmission of sound through air. The particles of air at any point in the path of sound-waves are alternately in motion and at rest. At one moment they are crowded together; the next moment their elasticity asserts itself, and they shoot asunder. The energy in the first case is "potential." That is, it consists in the elastic power momentarily restrained. In the second case the energy is "actual," for it is that of the moving particles. Fr. O'Dwyer regards vibration as the one element of sound and its propagation: this is "actual" energy. Any interruption of this particular kind of mechanical motion, such as takes place in the telephone, he regards as fatal. Might we not with equal reason argue that when the energy is stored up in the elasticity of the particles that the sound is dead, or the continuity broken? Once during every ripple or wave of sound that passes a given point in the air, the energy is potential, or the particles are huddled together. The duration of this condition is perhaps shorter even than the time occupied by the electric current in the telephone, but it is nevertheless real. Regarding the transmission as a conveyance of the energy of the original disturbance, neither this momentary cessation of active energy, nor the conversion in the telephone, makes against the reality of the transmission. In both cases the original mechanical energy is sent on to the ear of the listener, though continually lost

¹I am informed on high authority that with a very perfect string-telephone formed of wire, the human voice may be heard at a distance of two or three miles.—T. L.

and recreated by the elasticity of air particles in one case, and by the electrical arrangements of the telephone in the other.

“But in addition to all this, we are justified in believing that the particles of air are essentially different from tennis-balls. Professor Tait says :

‘The small separate particles of a gas are each no doubt less complex in structure than the whole visible universe, but the comparison is a comparison of two infinites.’

“Probably our most elaborate telephones are simple structures compared with the particles of air, and the elasticity which these latter possess may be, for all we know, due to electrical currents or electrical forces. An electro-magnet will alter the elasticity, and consequently the note of a tuning-fork. The elasticity of a telephone disc is similarly affected, and instances might be given where electrical forces produce effects similar to elasticity.

“Heat may be conveyed by conduction along a poker, but it may also be transmitted to a considerable distance by the current of electricity generated in a thermopile. These two cases differ in just the same way as the transmission of sound by air differs from its transmission by the electrical telephone. And yet it has been suggested that the ordinary slow conduction of heat through the substance of the poker is due to molecular electrical currents not essentially different from the thermo-electric current. It would be useless to speculate how the conduction of sound in air might depend in some such way on molecular electrical forces or currents. All that can be said is, that our present knowledge of the ultimate constitution of matter and of the various forms of energy, particularly electrical, is not sufficient to warrant us in rejecting the verdict of common sense in the matter of hearing by telephone.

“Moreover, our own auditory apparatus, consisting of the drum of the ear, fibres, bones, and auditory nerves, forms an instrument much more elaborate than any telephone, though closely resembling such an instrument. The drum of the ear corresponds to the membrane of the receiver which Fr. O'Dwyer regards as the origin of the sound actually heard, and the nerve corresponds to the wire of the telephone. We cannot at present say what connection there is between a nervous current and an electrical one; but that there is a similarity and some connection is more

than mere supposition. Indeed, the telephone may be regarded as a very simple artificial ear, or a mechanical extension of the auditory nerve of the listener to the neighbourhood of the speaker.

“As Fr. O'Dwyer holds that it is the membrane of the receiver that is heard and not the human voice, what would he say of a man who should be fitted up with artificial vocal chords, by breathing through which he could articulate slightly? Would he say that he heard his voice, or only the vibrations of his vocal chords? And would he *hear* his confession?

“Perhaps it might be more exactly pertinent to the theological point in question to put the illustration analogically and to fit up the confessor with the artificial chords; and to ask could he then validly pronounce the words of absolution?

“To sum up: my contention is that in all cases of communication by speech, the hearer is merely cognisant of certain intelligible mechanical disturbances due to energy transmitted to him from the speaker. This is popularly known as hearing the speaker's voice, and the expression is as scientifically accurate in the case of the telephone as in the ordinary case, neither less nor more.

“Fr. O'Dwyer will not admit the electrical telephone to be a medium for the transmission of sound, or the human voice. But this, I conceive, is its very *raison d'être*, and the object which its inventor had in view, and for which the patents have been taken out. It certainly conveys sound-waves to the listener not to be distinguished from those received in the ordinary way, and there is no break in the transmission of energy.

“This cannot be said of the phonograph. One may speak into the phonograph, and the record may be carried to the Antipodes, and the speech be reproduced by turning the handle. This could not be called transmission of sound in any sense. The energy in the sound produced is derived not from the speaker but from the muscles of the man who turns the handle. Whereas in the telephone the energy is continually active all the while, passing without any break from the speaker to the listener.

“It is just possible that 100 years ago, land travelling might have been defined as progression by walking, riding or driving, and that on the introduction of railways the term might have been denied to this last mode of locomotion; but words must have their meaning extended to keep

up with the progress of invention. So that when Fr. O'Dwyer, speaking of the electrical telephone, says: 'We *know* of no such medium in connection with sound.' He might have said with more propriety: 'We *knew* of no such medium in connection with sound.'"

It always appears to me unmeaningly superfluous, or rather presumptuous, to praise what is beyond one's powers to criticise, and upon which one is not qualified to pass an adequate judgment. Still it may not be out of place to say, that to my mind Professor Ryan writes with so much simple lucidity and logical cogency on matters about which I am otherwise quite unlearned, that at once I understand and fully appreciate the meaning and force of all that he has written. And this testimony is of itself no mean praise.

I may here add that a learned D.Sc. of London University, (Dr. O'Reilly) whose special physical study has been that of electricity, and who had been at first opposed to my view, writes to me, March 5th, 1885, that he fully endorses the opinion expressed by Lord Rayleigh. He epitomises his explanation of the question as follows:—

"According to the present language and theories of Science, Sound is a successive series of vibrations of air-particles.

"In the case of the human voice, the vibrations originate with the vocal chords, and are imparted to the surrounding medium, the air, by means of which they are propagated. In this medium between the speaker and the hearer, the energy of the voice exists as sound-waves. This is equally true for 'speaking-tubes.'

"In the telephonic transmission, the voice exists first as these aerial sound-waves, then as electrical pulses or undulations, and finally as aerial waves again.

"The difference between the two cases lies solely in the medium through which the electrical energy is propagated.

"The voice is manifest in the one case as the energy of vibrating air-particles only; whilst in the other it exists in addition at one period of its transmission, as the energy of what is called an electrical current.

"The difference is not fundamental; and according to our ordinary way of speaking we may say that one whose ear is applied to a receiving telephone does hear the voice of the speaker at the transmitting instrument.

Dr. O'Reilly aptly illustrates the case of necessity by "that of a lighthouse-keeper (say) off Fastnet. He is in cable connection with the mainland. He might be *in*

extremis, or he might be assailed by a furious tempest and in imminent danger of losing his life and unable to get a priest over from shore. Of course a telephone could be, and has been used on *short* cables."

I have now set before the readers of the RECORD the considerations which led me to think that the article by Father O'Dwyer was not the "last word" science might have to say on the Telephone in relation to the Sacrament of Penance.

THOMAS LIVIUS, C.SS.R.

THEOLOGICAL NOTES.

HOW IS A DISPENSATION FULMINATED ?

FIRST of all, a delegate cannot act as such until he has received the document containing his commission. Intimation that it has been sent forward, or a copy of it, will not suffice. "*Ex tunc terminus incipit currere, cum iudices contigerit litteras recepisse,*" is the legal expression of this truth.¹ And accordingly Schmalzgrueber² says, power is wanting, "*antequam literae Apostolicae ipsi in originali praesententur, etsi aliunde jam sciat illas fuisse concessas.*" This, however, applies only to mandates for which writing is necessary. In other cases no such formality is of strict obligation.

On the other hand, as the same eminent canonist³ points out, after receiving authority to dispense, it will not be enough to state to the petitioners that power to remove the impediment has been delegated, and that they have thereafter full permission to contract marriage before the parish priest. Fulmination is performed, not by declaring that the impediment has been taken away, but by its actual removal. All the Holy See or Ordinary did was to grant dispensing power. It remains for the delegate to use that power. Sins are not wiped out by a confessor declaring the penitent already absolved. Neither is an impediment

¹ Cap. 12, *de appellatione, in fine*; Pyrrhus Corradus L. vii., C. 6, n. 5.

² Tom. iv., Part iii., Tit. xvi., Sect. vii., n. 229; Zitelli, p. 95; and De Angelis, L. i., T. xxix., n. 5, p. 127.

³ Id. *ibid*; Planchard, p. 132.

removed by a declaration on the part of the delegate that it has ceased to exist. And this is so, as well when there is question of contracting for the first time, as when, in the confessional or outside of it, *permission* is given to renew the consent, whether publicly or privately.

In every case, then, the "executor dispensationis in forma commissaria," must eliminate the impediment by actually *granting* a dispensation. Otherwise the process is not what he was commissioned to complete. Nor is this the only inconvenience that may arise from such a mistake. For, although the commission remains unexecuted, it does not follow that the delegate is still free to discharge it. On the contrary, if, after a mere declaration that a dispensation has been procured, and every obstacle taken out of their way, the petitioners should contract an alliance for the first time, or even renew their consent, the result in almost every case will be that the delegate's powers do not at all apply to the altered circumstances.¹ The very wording of the mandate will show this. It speaks of a state of things which did, but does no longer, exist for the petitioners. Hence the delegate must needs seek a fresh dispensation, or letters of "*Perinde valere.*" Prevention, obviously, has here in full its proverbial advantage over cure. Prevention, however, in the case is a matter of no great difficulty. Not many things in all are necessary to secure fulmination from being invalid on account of this or any other defect. Let us see what they are.

The person deputed has already examined the terms of the commission, and found that he is possessed of the necessary qualifications. The document too is clearly authentic. He reads it, and knows the limits within which its clauses and conditions confine his power. The petition is verified. Its obligations are imposed and discharged so far as is pre-required. Should a hitch, which he thinks deserves such treatment, occur, he will have procured letters "*Perinde valere.*" It now only remains to absolve the penitent and fulminate the dispensation. How is he to act in this important matter?

The procedure *in foro externo* is different from that *in foro interno*. Let us take them in order, dealing primarily in each instance, with Papal dispensations.

¹ Schmalzg. In loc. cit.; Reiffenst., T. iv. Appendix de dispensatione super impedimentis Matrimonii, n. 299.

IN FORO EXTERNO.

To make sure the validity of fulmination *in foro externo*, several conditions are required. They are thus enumerated by Planchard:—¹

1. The decree of fulmination should be in writing.
2. It must *per se* come from the delegate himself.
3. Mention of delegation and its source is expressly made.
4. Formal language is required. For instance: I *dispense such* and *such* a person from *such* an impediment.
5. When inserted, the *legitimation* clause is to receive due effect.

A short explanation of these conditions will have the additional advantage of bringing forward points which otherwise should receive separate notice.

Is *writing* necessary? Some answer in the negative. But others, especially since Propaganda, in 1869, insisted on it in dispensations, look upon oral fulmination *in foro externo*, if not as void, at least as doubtful and unsafe in practice. Hence the decree should be in writing. And, although strictly this applies only to the act of relaxing the impediment, it would be well, by all means, to follow the same course when previously giving effect to the clauses that occur. At the same time, there is no difficulty about oral procedure up to the decree of fulmination, provided always that mention in detail is therein made of their fulfilment. To omit all reference to them is inconsistent with a full discharge of the delegate's commission. It need scarcely be added that, in urgent cases, intimation that a dispensation has been fulminated, may be sent even by telegraph.

It has been already stated that the delegate Apostolic cannot consign his work to anyone else, unless permission is given to that effect. Such permission is found chiefly in dispensations from the Holy Office and Propaganda for mixed marriages. In other cases, all the acts, such as imposing the penance, determining the alms, legitimation, except alone verifying the petition, must be gone through by the delegate in person. But the petitioners need not be present with him for any of them.³

¹ P. 108, n. 249.

² Feije, p. 753, n. 754; Planchard, n. 305; Zitelli, p. 95; Cf. *tamen* Smith's Canon Law, V. i., p. 104, nn. 239, 240.

³ Feije, *Ibid.*

Nay more, he can discharge his commission though far away from the diocese. Neither the acts just named, nor any others which he must perform, such as separation and absolution, require his presence within the diocesan boundary. They do not involve the exercise of contentious jurisdiction, if we except *judicial verification* of the prayer. And, where it is in use, there need be no difficulty about entrusting it to a competent person, who will conduct the process within the diocese. Hence, Bishops and Vicars-General, when delegated by the Holy See “ad dispensationem exequendam,” after seeing to all the preliminaries contained in the clauses, frequently fulminate “in absentes,” and send the decree of fulmination, or a copy of it, to the parish priest, with instructions to put himself in communication with the petitioners, and assist at their marriage, if they remain obedient to the conditions. The parish priest’s duty here is of the same kind as when he receives an episcopal dispensation not requiring fulmination at his hands. But he himself may be appointed “ad exequendam dispensationem” by his Bishop, or even by the Holy See, and, in that event, his proper course, after taking all precautions already described as incumbent on a delegate, is to fulminate the dispensation¹ “in praesentes.” Should he suspect the genuineness of the document, or detect a substantial defect of any kind, his surest remedy lies in recourse to the Bishop. The same is true if the petitioners, or either of them, refuse to abide by the conditions.²

The *Commissionarius* will always mention the source of his authority. Thus: “Ego auctoritate a SS^{mo} Domino Nostro . . . (or) “Ego auctoritate ab Illustrissimo et Reverendissimo Episcopo . . . mihi mandato 22 Januar. 1885, specialiter delegata . . .” The date is not necessary. But it should not be omitted, as fulmination is to constitute ever after the official proof that a dispensation was granted.³

The fourth point above referred to as of obligation requires no special treatment. Suffice it to say that the person or persons concerned should be fully named, and the particular impediment or impediments clearly stated. How this is done can be seen in the form which follows a little further down.

¹ Van de Burgt, *De dispensationibus matrimonialibus*, p. 71.

² Id. *ibid.*

³ Planchard, p. 132, n. 306; Feije, n. 755.

For obvious reasons a legitimation clause is not always found in the mandate. In its absence the delegate must not fulminate as if it were present.¹ For although the general faculties of an indult are *per se* to be widely interpreted, it is otherwise with a particular commission. Hence the S. Penitentiary decided in 1859 that unless the clause expressly occurs, the delegate, who wishes to use the powers it conveys, must make fresh application for them. They are very important. Subsequent marriage will, most probably, legitimize such children as are *born* after its celebration. But it is different with those born previously.² They require the benefit of a special clause. This need appears certain if both parents knew of the existence of an impediment from the beginning, and fairly probable, when one, if not both were *bona fide* in the original contract. Occasionally the legitimation clause is only *ad abundantiam*, as, for instance, where it refers to future offspring. Even then the delegate is not free to omit it. But should he do so in this particular case, there is no necessity for undertaking the matter anew. In all others the proper course, on remembering the oversight, is to return to the work and bring it to completion. The lapse of some time need not form an obstacle. Nay, his successor in office can take up and perfect this portion of the trust. Neither does the power cease by the death of one or both petitioners. It lapses only when of their own free will they bid farewell to the marriage for which the dispensation was procured. "*Proles adulterina*" is specially excepted from the benefit of legitimation.

As regards the words to be used in fulminating a dispensation, no settled form is obligatory. To make the act valid three or four lines will suffice. But for complete discharge of his trust the delegate will require to follow in substance the outline here subjoined. It is condensed, with slight modifications, from those given by Zitelli³ and Van de Burgt.⁴

Nuper ex parte N. N. et N. N. nobis exhibitum est mandatum Apostolicum (or, Illmi. et Rmi. Episcopi . . .) die . . . mense . . . anno . . . ad dispensandum cum ipsis in . . . , et nobis pro executione commissum. Illud omni qua decuit reverentia accepimus, sedulo perlegimus et in nullo sive

¹ Feije, n. 740; Planchard nn. 221, 222.

² Planchard, nn. 199, 220, 270. Feije, l.c.

³ P. 96, note.

⁴ P. 72; Cf. Reiffenstuel, l.c., n. 365.

ritiatum sivesuspectum invenimus. Nos, itaque, post Litterarum praesentationem, servatam mandati forma, super expositis diligentem informationem instituimus, per quam repertum est (verbal repetition of the tenor of the mandate is the best way of referring to verification and the other conditions) preces veritate fulciri, aliudque non obstare impedimentum, neque scandalum ex dispensatione esse oriturum (or instead of neque, scandalum' . . . it may be ' Quapropter praefatos oratores N. N. et N. N. ab innicem separavimus . . . et poenitentiam injurimus . . . with a statement in detail that everything required has been done). Propterea, risis videndis, servatisque servandis, nos, N. N. Illmi. et Remi. D. N. Episcopi . . . Vicarius Generalis, per Sanctissimum D. N. Leonem PP., XIII. iudex et executor, ut supra, deputatus (or N. N. Parochus Ecclesiae Parochialis N. per Illmum. et Rmum. . . . Episcopum . . . virtute facultatis Apostolicae tributae per Indultum SS. D. N. Leonis Div. Prov. P.P. XIII. diei . . . 18, ad supra dicta specialiter deputatus), auctoritate Apostolica (or, ab Illmo. et Rmo. Episcopo) nobis sic specialiter delegata, absolvimus praedictos oratores, N. N. et N. N. (or, vos N. N. . . . , using the second person of the pronoun to the end) ab omnibus sententiis poenis et censuris ecclesiasticis, in ordine ad praesentem gratiam valide consequendam (et pariter eadem auctoritate eos absolvimus a reatu incestus) atque dispensamus cum iis super impedimento (vel impedimentis) . . . ut valide et licite matrimonium contrahere et in in eodem postmodum remanere valeant (insuper prolem susceptam vel suscipiendam legitimitam esse nuntiamus et declaramus.) In nomine Patris et Filii et Spiritus Sancti. Amen.

In quorum fidem praesentes manu nostra subscripsimus N. N. Die . . . Mens . . . Ann. 18 . . .

This outline may appear over-lengthened. But it is shorter for particular cases than it looks. It contains a number of alternatives, which of course do not come up together in practice. The delegate may speak in the singular or plural number. It is not necessary to address the petitioners in the second person. The parish priest, however, fulminating "in praesentes" more commonly uses the singular number speaking of himself, and inserts "vos," "robiscum" and "valeatis." The proper alterations are easily made when the *executor* has to fulminate a dispensation for only one person. So likewise the mandate itself will clearly suggest the slight changes, such as "de novo" before "contrahere," that are desirable where an invalid marriage has been already contracted.

The absolution from *incestus, in foro externo*, will remove any local reservation or censure, attached to that crime, *in utroque foro*.¹ And, on the other, although since the Bulla Apostolicae Sedis no Papal censure is annexed, still from the commission containing authority to absolve from it, the inference is that in the particular case juridical absolution can be given *in foro externo*, and *in foro interno non sacramentali* by the delegate alone. But the reservation does not extend to the *forum internum sacramentale*.

It was mentioned above that the act of fulmination should be in writing. One reason for this is that the petitioner or petitioners are to receive an authentic copy.² The original and the letters of commission are preserved by the delegate.

The same may be said in reference to dispensations granted *in forma gratiosa*. The parish priest or other delegate will deliver the original or an authentic copy of the document to the petitioners. He also carefully preserves one or other himself. Perhaps it may be well to insist once more that the many points discussed in these pages bear on dispensations *in forma commissaria* alone, unless the contrary be stated.

So far we have dealt with the mode of fulminating simple dispensations *in foro externo*. Before passing to the still more practical matter of the *internal forum*, it may be well to supplement what has been said by some reference to the execution of "*Sanationes in radice in foro externo*."

That this special and privileged kind of dispensation is sometimes granted by the Holy See *in foro externo* need scarcely be stated. How the delegate is to act may, in the main, be gathered from what has been said of his office in connection with simple dispensations. The peculiar points are readily understood from the nature of the case. They are, however, of the greatest importance, and vary largely with the special tenor of each petition. Hence the delegate's obvious duty³ is to read over the *mandatum* carefully, for it will contain full instructions for his guidance.

If neither is required to renew consent, the parish priest,

¹ Feije, p. 738, n. 743; Planchard, p. 95, n. 216.

² Id., p. 760, n. 758; Zitelli, p. 95. ³ Feije, p. 780, n. 772

when selected as delegate, will introduce some such change as this into the general form after the absolution:

“ . . . Conjugium ab iis nulliter contractum in radice sano et convalido; prolemque . . . Amen.”

He also takes care¹ to discharge the duty as often as his commission lays it upon him, of *discreetly* communicating to one or both of the parties, or to the public, a knowledge of what has been done. Plainly, too, if possible, fulmination should be performed at a time when both *contrahentes* are presumably in the state of grace.

Where one of them is to renew consent, the delegate, after fulmination, will be careful to give instruction to that effect. He should also, as far as he can, make sure that the person concerned will go to confession before renewal. As the parish priest will have the individual before him, this can be secured without much difficulty, at least in most cases. Hence, too, his custom is to employ the second person of address—“*Matrimonium a te N. N. cum . . .*” Here, again, an obligation may be imposed of *prudently* divulging to the other party, or even to the public, the fact that a dispensation *in radice* had been procured and applied.

Lastly, it is to be observed that in public cases, a rescript containing a *sanatio in radice* is, as a rule, minute in requiring a full copy of all the acts to be given to, and preserved by, the petitioner. The delegate will retain the document commissioning him to act, and thereto attached, or separately, a form of acceptation signed by the petitioner, as well as the decree of fulmination including absolution and reference to such clauses as occurred. But of all these proceedings he will hand a full and authentic copy to the person interested. A non-Catholic never signs this acceptation, just as he (or she) is never included in the absolution.

These details of the *forum externum* have extended so far that we deem it better to reserve “fulminatio in foro interno” for a future number.

PATRICK O'DONNELL.

¹ Van De Burgt., pp. 121, 123.

² Planchard, p. 171; Feije, p. 781; Burgt, l.c.

IONA, S. COLUMBA, AND THE WESTERN HIGHLANDS.

SETTING out from Amiens-street, Dublin, I reached Belfast by train, and took the steamer to the Clyde. I got out at Greenock, and waited for the boat coming down from Glasgow. It arrived about 9 A.M., and took us through the Kyles of Bute to Ardrishaig on the Crinan Canal. Here the steamer turned off to Inverary; and, leaving it, I got on the boat drawn by horses over the canal, at the end of which another steamer awaited us, and brought us by sea to Oban. This place I intended as a centre from which to make a few excursions to Iona and the Western Highlands.

One of these was to Iona and Staffa. Starting from Oban at 8 A.M., and keeping the isle of Carrera to the right, our steamer went on the south side of Mull which seemed a rocky sort of island, with hills of considerable elevation towards the centre.

As we approached Iona, we had a view of it in its greatest length, which is about three miles, lying nearly north and south, with a low range of hills running through the centre, but somewhat higher towards the north. Midway between those hills and the near shore we are approaching are forty or fifty houses. Altogether Iona seems dark and gloomy. Between those houses and the near or eastern shore is a level plain, a quarter of a mile or so in breadth, on which are placed those monastic buildings we are in quest of.

The buildings are all unroofed. There are two churches; the greater is called the Cathedral; the smaller, S. Oran's Chapel. The Cathedral is for the greater part built of red sandstone, and is in a fair state of preservation. The walls seem to be of the full height, and in no part broken down. But whether this is owing to modern restoration, or that they were so preserved from ancient times, I cannot tell. S. Oran's Chapel is the more ancient of the two, being built towards the end of the eleventh century in the time of Queen Margaret. It is an oblong building about forty or fifty feet in length, and of proportionate breadth. The walls are plain, with scarcely any ornament, except some mouldings around the entrance doorway. The windows are very small on each side, near the altar. It also is in a fair state of preservation.

The Cathedral consists of two parts—the eastern, with a square tower at its west end; the tower and most of the church being in the Norman style; and the western, subsequently added, in the Gothic style, with pointed arches. The passage from one division to the other is by a narrow doorway through the tower. The eastern portion was the first built, with the high altar in the east end; and may be about sixty or seventy feet long.¹ But the bare walls only remain, the altar and everything else being entirely removed. The western division is not equal in length to the other. In this portion of the building there are two recesses in the wall on the east side, one each side of the central tower, which our guide said were used for confessionals. It might be so; or they might have been made for side altars. In the south-western corner here they point out the place where S. Columba was interred. The eastern portion of the Cathedral is also enlarged by the addition, on the south side, of an aisle in the Gothic style. The arches by which the aisle opens into the body of the church seem rather low; but that may be owing to the floor being raised by an accumulation of rubbish.

There are two buildings outside, north and south of the tower, and connected with it. I think they could not be intended for transepts, as they do not open into the body of the church but into the tower, though the doors from them into the tower are now closed up with masonry. They might have been side chapels, or for some such purpose.

Adjoining the Cathedral are remains of domestic buildings, but in a very ruinous state. The principal room, which is of considerable extent, is pointed out as the refectory of the monastery. Near the western door of the church is what remains of the cloister—the walls in three sides of the square—but the inner arches, which bounded the covered passage, have been all removed.

There are two stone crosses, one near the western door of the Cathedral, the other at some distance from it, about the same height as those so frequently to be seen in Ireland, but of less thickness, and with the sculptures in lower relief. One of them is called S. Martin's; probably from the St. of Tours, to whom there was devotion in the

¹ The dimensions specified here are merely from my impressions as looked on at the time. I had no means of measuring them.

early Church of Scotland. The other is named M'Clean's. I had only a distant view of the nunnery. It seems to be in a very ruinous state.

The cemetery is no longer to be searched for. All the tombstones are collected together, and placed flat on the ground, side by side, and surrounded by an iron railing for their preservation. This makes the inspection of them easier for the tourist; but their separation from the sites where the remains were deposited diminishes the interest for more serious visitors. On these slabs are sculptured figures of the deceased, occupying nearly the full length and breadth of the slabs. Some are nuns, as appears by the veil and religious habit, some are bishops, some abbots, some are kings, some chieftains. One was pointed out as a crusader. The inscriptions are not conspicuous; but a close examination would discover them.

The reader needs scarcely be told that those buildings at Iona, of which I have spoken, do not date from the time of S. Columba. The earliest of them is only from about the end of the eleventh century. But on the site now before us stood the primitive oratory of S. Columba, built of wattles or timber of some sort, and covered with straw or reeds; and grouped around it were the cells or huts of similar materials for himself and his companions, each having a separate cell. "Tuguriolum" is the term Adamnan generally uses to designate Columba's cell. Here in that cell he prayed, and worked at his favourite employment of transcribing the Scriptures. Here he received the business visits of members of the community, asking the permissions which the rule required. For strangers there was a separate building, called the Hospice, where they were received and entertained.

Such was the original church to which the bell summoned the community at Iona to public prayer, to Mass, or the singing of the divine office. Such was the commencement of that monastic institute which planted the faith amongst the Picts of Scotland, and founded churches and branches of the order in different parts of the country. From this, after Columba's death, went Aidan, and his successors, into England, and founded from Lindisfarne, the churches of the Northumbrian kingdom from the Tyne to the Tweed; and in part, also, those southward, as far as the Humber.¹

¹ Venerable Bede, iii., 3, with Mr. Gile's notes.

Iona seems lonely and desolate, and not picturesque, unlike in this respect many monastic sites in Ireland. But the ocean views that surround it, and the distant mountains, invest it with a sublime grandeur; and, during the tempests that prevail here, the scene must be terrific. But what forms the attractive force of Iona is the memories that hang over it, like a bright cloud, of Saint Columba and his twelve companions, who landed here in the year 563, and founded a monastic establishment that was for many centuries the centre of important events and influences. Coming here, he escaped the dangers of Corrybracken, a whirlpool near the north coast of Ireland, then dreaded by navigators. But whether he came unscathed through every other kind of charybdis in Ireland is not so certain. We will then retrace his steps a little, and inquire.

Columba was born in 521, amongst the mountain recesses of Donegal, on the slope of a hill that borders on some pretty lakes near Gartan, and in the parish of that name. He was a member of the royal family which, at that time, ruled the north-west districts of Ireland, being descended from Connor Gulban, the common ancestor of the Princes of Tirowen and Tirconnell. Columba belonged to the latter. After leaving home he received his further education, first, at Moville, in the Co. Down, and afterwards in Clonard—monastic houses lately founded by saints of the name of Finnian. While at Clonard he received priest's orders. Being thus trained in monastic discipline, he became himself the founder of monasteries, first, at Derry, in 545, and afterwards at Durrow, in 553. In the government of these, and founding of others, and visiting different parts of Ireland, he was occupied till his forty-second year, when he removed to Iona.

Here the question may arise, what led to this resolve? The more common account amongst the Irish writers is, that his leaving Ireland was not voluntary; that it was imposed as a penance for his supposed connexion with the war between the monarch and the Clanconnell: indeed some call it an exile. Adamnan does not notice this account, but says that it was "pro Christo," *i.e.*, to preach the Gospel, and seek the salvation of souls in a foreign country, as he had long before designed—"sicut quondam mente proposuerat"—and then found the favourable opportunity.

Under these circumstances some details become neces-

sary. While at Moville, Columba transcribed a copy of the psalms belonging to St. Finnian, without the owner's permission. On learning the affair, Finnian claimed the transcript as his right; and the monarch, to whose judgment it was referred, decided in his favour—strangely applying the maxim that, as “the calf belongs to the owner of the cow,” so the copy should belong to the owner of the book transcribed. Indignant at the decision, Columba is said to have returned home, and incited his countrymen to war against the monarch, with the result of the battle of Culdreimne.

Another cause of the war is alleged: that a young prince, charged with homicide, was seized, while under the protection of Columba, by the monarch, and put to death; the right of sanctuary being thus violated. There is no historic improbability in this. If we admit it, I think we should say Columba was at fault, for the right of sanctuary was never intended for such cases, and the monarch had the right to adjudicate the matter.

But in looking for the causes of the war, why search deeply for what lies on the surface? There was a constant state of warfare in Ireland, as in all other countries, in those times, and pretences for war were easily found or made; and considering the passions and interests involved in those wars of less civilised times, the specious and fanciful pretences alleged will be no more the causes of the war than the pith of elder ball, that oscillates in the air, is the cause of the effects produced by the electric machine.

Whatever was the cause, a war broke out between the Monarch Diarmod and Columba's countrymen, and at Culdreimne,¹ in Drumcliffe, near Sligo, a battle was fought in which the monarch was defeated with great slaughter. Here was a sad spectacle. In view of Benbulbin, which should have reminded the Clanconnell of their near kindred to Diarmad,² the defeated monarch was obliged to fly.

Was Columba the cause of this? Some must have been

¹ Dr. Reeves, the Editor and Annotator of Adamnan's Life of S. Columba, says the Church of Drumcliffe marks the site of the battle. In every part of this Paper I am indebted to him.

The Monarch Diarmad was descended from Nial of the Nine Hostages, the father of Connor Gulban. From the latter the mountain alluded to took its name; the Clanconnell in those ancient times owned all the territory as far south as Sligo. In the “Wars of the Gaeland Gall,” written early in the 11th century, the mountain is called Bengulbin.

of that opinion, as a Synod held soon afterwards was excommunicating him, till they were convinced by Saint Brendan, of Birr, that their sentence was not just; and then, Adamnan says, they not only withdrew it, but received Columba with great honour and veneration. Adamnan says also that it was for trifling causes—"venialibus et excusabilibus de causis"—he was thus opposed; and, using such language, he could not have considered Columba to be an instigator of that war; and, as already stated, he refers his departure from Ireland to other motives. St. Kieran Seir,¹ too, considered Columba blameless, and alleged prophetically his banishment as one of the three causes that would bring on Ireland the judgment of the Danish invasion.

We next behold Columba, with his twelve companions, moving out from Lough Foyle towards the coast of Scotland, the Giant's Causeway reflecting its rays on them as they pass; and the thought of the Dalriadic colony must have given them hopes that they would not be strangers in the land to which they were going. He obtained the island of Hy, from Conal, then ruler of that colony, in Argyleshire, according to the Irish annalists; but from Brudi, King of the Picts, according to Venerable Bede. Both accounts are true. The island was on the borders of both kingdoms; and what Conal gave him at first, he got confirmed to him afterwards by Brudi. Indeed at that time, about sixty years after the settlement of the colony in Cantyre, it could scarcely have extended so far north as that Conal could secure Columba in the possession of Iona.

Of Columba's labours I will mention a few particulars; not as writing his life, but such notices of it as a visit to Iona might suggest. But first I give notice, if any person disbelieves supernatural agency, he may put away this paper, for it will be at total variance with his views. Such agency will be frequently mentioned in these pages; and reasonably, for if miraculous gifts were bestowed on any, it should surely be on those who, like the Apostles, brought whole nations to the faith.

From Iona he visited all parts of the country, preaching and baptizing. Going beyond the Grampians, which Adamnan calls the backbone of Britain, "*dorsum Britanniae*," he came to the district near Lough Ness, and there converted an entire family. But some time after, a

¹ Wars of the Gael and Gall, p. 10.

child of the family died, and the father was reproached by the druids or pagan priests, as an apostate, and they glorified their gods above the God of the Christians. Columba hearing of this, and fearing in the circumstances for the weak faith of his neophytes, hastened to console them; and entering the room where the young man was dead, by prayer brought him back to life, and restored him to his parents. At another time he came where the King of the Picts resided, a fortress on a rock near Inverness. Brudi, unwilling to receive him, had the gates bolted; then S. Columba, making the sign of the cross, struck them with his hand, and the bolts were driven back and the gates flew open, and Columba entered the area that surrounded the palace. Brudi perceiving this came out, attended by his ministers and chieftains then in council with him, and received Columba with great respect and veneration: a line of conduct he ever afterwards maintained towards him.

Though few particulars are given by Adamnan of his missionary progress through the country, his plan being to mention only what illustrated Columba's supernatural gifts, it is certain that he planted the faith in the entire of the country, and was always considered the apostle of the Picts of Scotland. "Columba came into Britain," says Bede,¹ "in the reign of Bridius, King of the Picts, and he converted that nation to the faith of Christ by his preaching and example. Whereupon he received from them the Isle of Iona." The Saxon chronicle² gives similar testimony: "Columba, a Mass priest, came to the Picts and converted them to the faith of Christ; and their king gave him the Isle of Hy."

A few words about the prophecies of S. Columbkille will not be out of place. Sometimes they regard the future of individuals. Columba went on a visit once to Clonmacnoise. On his approach great crowds from all sides pressed around to welcome him; amongst others, a little boy belonging to the monastic noviciate, "puer familiaris," but very ill-favoured in dress and appearance, and who was "necdum senioribus placens," crept behind him to touch his garment. Columba put back his hand, caught him by the neck, and drew him forward trembling. When all cried out to him not to keep hold of such a mischievous wretch, as they

¹ Bede's Eccl. Hist. iii. 4.

² Sax. Chr. An., 565.

called him, he made the sign of the cross on the boy's tongue, and said: "Let none think little of this boy: he will hereafter be agreeable to you all; he will advance in virtue and prudence, and will be distinguished for his doctrine and eloquence in the divine service." This was Ernan M'Crossan: and Columba's words were afterwards verified when he was known as S. Ernan, founder of the Monastery of Rathnew, in Wexford.

Some of his prophecies were not declared till after his death. A young man came to Iona from Ireland, Baithen being now Abbot after Columba's death, and asked to be admitted to the monastic profession. After enquiring about his name, his country, his kindred, and various other particulars, the Abbot refused to admit him; not that he was unfit, he said, but because Columba, before his death, had given him this command; foretelling the young man's coming to Iona, and declaring the will of God to be, that Ireland was to be the scene of his labours. Hearing this, the young man was reconciled to the divine will, returned, and became very distinguished amongst the Irish saints. as Fintan, the founder of Taghmon, in Wexford, and for some time Abbot of Clonenagh.¹

What Adamnan calls "prophecies," sometimes regarded, not future, but distant events which could not be known but by supernatural means. At Iona on one occasion he got the bell rung to assemble the community to pray for the success of Aidan who, he told them, was at that moment engaged in battle in a distant part of the country, and whose victory he announced to them after their prayer was concluded. Similar was what he told them, with signs of deep grief, of two young princes in Ireland, Colman M'Alin and Ronan M'Hugh, who were slain in some engagement by mutual wounds in the district now called Cremorne. Again, on another occasion he was observed weeping bitterly. When some inquired the cause, he said the brethren at Durrow were then, during intense cold, kept working outside in the erection of new buildings, the Abbot Laserian not sympathising with their sufferings. Adamnan adds that Laserian, by some similar revelation, understood this expostulation of Columba, and immediately called them in, and made them cease from the works during the rest of the cold season.

Some of his prophecies regarded the reigns of princes,

¹ Adamnan i. 2.

which he sometimes foretold would be long and prosperous; sometimes the reverse. He received several times at Iona the visits of the more distinguished ecclesiastics of Ireland, which visits he foretold sometimes, and these are given as instances of his prophetic knowledge. On a certain day he told them there was a holy and elect person from Ireland crossing the sea to Iona, and ordered them to prepare the Hospice, and water for his feet; and on the same day S. Canice of Aghaboe arrived. He and S. Comgal of Bangor were on special terms of friendship with Columba; and both of them, on another occasion, with Cormac of the Sea, and Brendan the voyager, came to visit him in Iona; but he being then in the Isle of Himba, a favorite residence of his, they followed him thither. At their request he celebrated Mass, during which S. Brendan observed a luminous globe radiating over his head. Such appearances were witnessed on several other occasions mentioned by Adamnan.

* * * * *

Columba never forgot his native country. He went to the Synod of Drumceat and arranged, by his influence, between the Irish monarch and the Argyle Kings differences that threatened the peace of both kingdoms. By judicious measures also, on the same occasion, he preserved from extinction the Irish Bardic Order; revealing, it is said, thus his favourite studies, for tradition credits him with the love of poetry, and composition of verses.

In the picturesque valley of the Finn, that in part divides Donegal from Tyrone, some men, that were fishing in that river at night, observed with terror in the eastern sky a great column of light ascending the heavens, with a brightness equal to that of the summer meridian sun. When it was known afterwards that it was during that night their countryman died at Iona, it was believed, says Adamnan who in his youth had this account from a man present on the occasion, that it was the soul of Columba borne up to heaven to receive the reward of his labours. These labours were foreshadowed before his birth by a vision his mother had, in which an angel seemed to give her a most beautiful robe, bespangled with flowers of every hue; but immediately took it from her, and spreading it out upwards, let it be borne away through the air; when, enlarging in its flight, it surpassed in its amplitude the extent of all the plains and woods and mountains around. He consoled her by

giving her to understand that the vision signified that the son she would give birth to would be the leader of innumerable souls to the heavenly country.

The prophetic spirit with which he seemed always instinct, was declared also at his funeral. One of the younger brethren had observed to him that his funeral would be attended from all the provinces around. "No," he replied, "it will be attended only by the brethren of our own community here." During the three days after his death, that preceded his interment, such violent winds prevailed that no boat could venture out; and his obsequies were attended by those only who were then on the island.

After Columba's death, the evil day came for Iona. It was plundered by the Danes in the year 795, and several times afterwards, and in the year 806 they massacred a great number of the monks. After that time it maintained a precarious existence, and was governed chiefly from Ireland, till its final dispersion at the period of the so-called Reformation.

JOHN GUNN.

LITURGY.

VOTIVE MASSES.

IX.—*The manner of saying a Votive Mass.*

1. The Psalm *Judica* and the *Gloria Patri* at the *Introit* and *Lavabo* are said in all Votive Masses, even during Passion time; it is only in Masses "De Tempore" that these parts are omitted.¹

The rule for the addition or omission of the *Alleluias* in the *Introit*, after the Offertory and Communion, is the same for Votive as for Festive Masses.

2. The *Gloria* is said (*a*) in High Masses ordered by the Bishop "pro re gravi," unless when celebrated in violet vestments.

(*b*) The same precisely holds for the Masses of the Quarant' Ore.

(*c*) In the General Rubrics of the Missal Tit. VI. it is said: "In ecclesiis autem ubi titulus est ecclesiae vel

¹We quote authorities in this Paper only when there is some controversy.

concursus populi ad celebrandum festum quod transferri debet, possunt cantari duae Missae una de die, alia de festo," &c. In this Votive Mass "de festo" the *Gloria* may be said, provided violet vestments be not used.

(d) It is said in the Votive Mass of B.V.M., on Saturday, but not on any other day during the week, except it be within an Octave of the B.V.M.¹

(e) It is said in the Masses of the Angels, the authors of the hymn.

(f) It is said in the Votive Masses of the Saints on their Feast day, and during their Octaves.²

In no other Votive Masses, whether High or Low, is the *Gloria* said.

3. Prayers? (a) In a High Mass ordered by the Bishop "pro re gravi," there is only one prayer, except in the case in which the Mass ordered is "Pro gratiarum actione:" in this case the prayer "Pro gratiarum actione," found after the Mass "De SS. Trinitate," is to be said *sub unica conclusione* with the prayer of the Mass selected.

This rule about the single prayer in the Mass "pro re gravi" holds even in Churches in which there is not in addition a *Missa Conventualis*.

(b) So likewise, in the Mass allowed by Tit. VI. of the General Rubrics and referred to above,³ there is only one prayer.

(c) There used to be a controversy as to the number of prayers to be said in the Votive Masses of the Quarant' Ore. It was ended by a decree of the S.R.C., 18th May, 1883:⁴ "In Missa Votiva SS. Sacramenti pro solemnij ejusdem Expositione ac Repositione omittenda est quaelibet commemoratio et collecta . . . Missa tandem *pro Pace* adjungitur oratio SS. Sacramenti sub unica conclusione."

But it must be borne in mind that to enjoy this or any other Liturgical privilege, the Blessed Sacrament must be

¹De Herdt, Vavasour, &c., differ in this from the "Ordo" (Table of Votive Masses, p. xiv.): Their authority is a decree of the S.R.C., 22 Aug. 1741; in which a certain custom regarding Votive Masses is allowed "Dummodo canatur sine symbolo et solum cum *Gloria in excelsis* in Sabbato et *infra Octavam* ejusdem B.M." The decree of 23 Feb., 1839, in which the *Gloria* is forbidden during the Octaves, regards only those who by Indult say not the Mass of the Octave but the ordinary Votive Mass of the B.V., which has no special connection with the Octave, and therefore, no right *ratione festivitat* to the *Gloria*.

²S.R.C., 13th June, 1671, in which the privilege for Masses of the B.V. seems to be made general.

³Page 1 parag. (c)

⁴See the IRISH ECCLESIASTICAL RECORD, Vol. v., p. 738.

exposed continuously for the forty hours, unless there be a special Indult.¹

(d) In all other Votive Masses whether High or Low there are at least three prayers: 1st, of the Votive Mass; 2nd, of the Office of the day; 3rd, that which would be second in the Office of the day.

If there are special commemorations in the Office, they are made in the Mass and in the same order. The common commemorations (*A cunctis*, &c.) need not be said, except to bring the number of prayers up to three: but they *may* be said after the *orationes imperatae*, to bring the number up to five or seven, as on Simples and Ferias.

Exceptions:—(1) In Votive Masses of the B.V.M. the third prayer is always “De Spiritu Sancto,” if there be no commemoration in the Office.

(2) In the Votive Mass of St. Peter, there is a commemoration of St. Paul, before all others; and in that of St. Paul, a commemoration of St. Peter, in like manner. Hence the prayer of the Office will be the third.

Also, if the Votive Mass be that of SS. Peter and Paul, and the “*A cunctis*” be the second prayer in the Mass of the day, the “*Concede*” of the B.V.M. is said instead, that mention may not be made twice of SS. Peter and Paul.

(3) In the Votive Mass of St. Joseph, if the “*A cunctis*” is to be the third prayer, his name is to be omitted from the prayer, or the prayer “*Concede, quaesumus*” may be said.

(4) In the Votive Mass “*Pro gratiarum actione*” the prayer “*Pro gratiarum actione*” must be said.

As to whether this prayer should be said under the same conclusion with the prayer of the Mass or under a distinct conclusion there is a controversy. The special Rubric makes no distinction between the Mass “*pro re gravi*” and that which is not “*pro re gravi*.” Yet many Rubricists hold that the Rubric refers only to the Mass “*pro re gravi*,” so that in others the order would be:—the prayer of the Mass with its conclusion, the prayer of the Office, the special commemorations, the prayer “*pro gratiarum actione*,” the *orationes imperatae*, the *Ad libitum* prayers. The General Rubrics Tit. IX., n. 14, seem to favour this view, which may be adopted.

(5) On Feria III. Rogationum, if the Office be of the Feria, the second prayer in any Votive Mass will not be that of the preceding Sunday, though this is the prayer of

¹ For the question of the Indulgence, with which we have nothing to do here, see RECORD, Vol. iii., p. 312.

the Office, but "De Rogationibus" and the third "Concede" of the B.V.M.

(6) If in Cathedral and Collegiate Churches a Votive Mass be sung in addition to the *Missa Conventualis*, the second and third prayers in the Votive Mass will not be the first and second prayers of the Office, but the two common commemorations that would be said on a Semi-double.

4. The Gradual. We do not think it necessary to add anything to the directions for this part given in the last number of the RECORD.

5. The Sequence is never said in a Votive Mass, except for Quarant' Ore during the Octave of Corpus Christi.¹

6. The *Credo* is said (a) in the Votive High Mass "pro re gravi," except when violet vestments are used on weekdays, On Sundays it is said though violet vestments be used.

(b) It is said in the Masses of the Blessed Sacrament during Quarant' Ore; but not in that "De Pace," except it be celebrated on Sunday.

(c) It is also said in the High Mass allowed by Tit. VI. of the General Rubrics.

It is never said in any other Votive Mass, although the Saint or Mystery of the Votive Mass have the *Credo* on the Feast.

7. The Preface of a Votive Mass is peculiar only in this point, that, if there be not a *proper* Preface of the Mass or of the Octave or of the Term, the Common Preface is said even on Sundays; whereas in Festive Masses the Common Preface is never said on Sundays.

8. The *Communicantes* and *Hanc igitur* of the Octave are said in every Votive Mass during the Octave.

9. The *Ita Missa est* is said whenever the *Gloria* is said; in every other case the *Benedicamus Domino*.

10. The Last Gospel. "In Missis Votivis nunquam legitur in fine aliud Evangelium nisi S. Joannis."²

11. Colour. In the Votive Masses of Feasts throughout the year the colour is the same as on the Feasts, except in that of the Holy Innocents in which the colour is red, though it is violet for the Feast.

In the twelve first Votive Masses at the end of the Missal the colours are:—White for the Masses of the Most Holy Trinity, of the Angels, of the Blessed Sacrament, and of the B.V.M.; Red for those of SS. Peter and Paul, of the Holy Ghost, and of the Cross; Violet for that of the Passion.

¹ See decree of 18 May, 1883, in RECORD, Vol. v., p. 738.

² Rub. Miss. For the case of the Votive Masses granted July 5, 1883, see RECORD, Vol. v., p. 331, and vi., p. 272.

For the other Votive Masses at the end of the Missal the colours are: Red for the Mass "Pro eligendo Summo Pontifice;" White for the Masses "In anniversario electionis seu consecrationis Episcopi" and "Pro Sponso et Sponsa;" Violet for all the rest.

12. Chant. Solemn chant in the Votive Mass "pro re gravi;" Ferial chant for all others.

P. O'LEARY.

(To be concluded in the next.)

DOCUMENT.

SUMMARY.

POPE LEO XIII. ON THE STUDY OF LITERATURE IN ECCLESIASTICAL COLLEGES.

Necessity, especially in these times, for the clergy to be thoroughly educated—Advantages of general literary education—The respect in which the accomplished scholar is held—An elegant literary style commends instruction.

The study of the Latin and Greek, as well as of modern classics warmly recommended—Latin important as the language in common use in the Western Church—The decline in the art of writing elegant Latin to be deplored—The Greek authors valuable as models of style, and as a help in acquiring a better knowledge of Latin.

The Catholic Church always prized literary study—In a great measure it is the Church that has preserved the ancient classics—They were chiefly cultivated by the clergy in times past—The zeal and munificence of the Popes in founding schools, colleges, and libraries, and otherwise encouraging learning.

Pope Leo XIII. wishes that special classes in Italian, Latin and Greek should be opened at once in the Roman Seminary for the advanced and more clever students who might thus have an opportunity of following up their study of the higher branches in these departments of literature under the direction of specially qualified professors.

DE STUDIIS LITTERARUM IN SACRO SEMINARIO ROMANO PROVEHENDIS.

DILECTO FILIO NOSTRO LUCIDO MARIAE TITULO SESSORIANO
S.R.E. PRESBYTERO CARDINALI PAROCCHI NOSTRO IN URBE
VICARIO, LEO PP. XIII.

DILECTE FILI NOSTER, SALUTEM ET APOSTOLICAM BENEDICTIONEM.

Plane quidem intelligis, quod saepe Nos et non sine causa diximus, summa esse contentione et assiduitate enitendum, ut

Clericorum ordo quotidie magis doctrinarum cognitione floreat. Cuius necessitatem rei maiorem efficit natura temporum: propterea quod in tanto ingeniorum cursu tamque inflammato studio discendi nequaquam posset Clerus in muneribus officiisque suis cum ea, qua par est, dignitate atque utilitate versari, si quae ingenii laudes tanto opere expetuntur a ceteris, eas ipse neglexerit. Hac Nos de caussa ad disciplinam eruditionis, praesertim in alumnis sacri ordinis, animum adiunximus: et a scientia rerum graviorum exorsi, philosophiae theologiaeque studia ad veterum rationem, auctore Thoma Aquinate, revocanda curavimus: cuius quidem opportunitatem consilii is ipse, qui iam consecutus est, exitus declaravit. Verum quoniam permagna doctrinae pars, et ad cognitionem iucunda et ad usum urbanitatemque longe fructuosa, humanioribus litteris continetur, idcirco nunc ad illarum incrementa nonnihil constituere decrevimus.

Quod primo loco illuc pertinet, ut suum Clerus teneat decus: est enim litterarum laus multo nobilissima: quam qui adepti sint, magnum aliquod existimantur adepti: qui careant, praecipua quadam apud homines commendatione carent. Ex quo intelligitur, quale esset illud Iuliani imperatoris callidissimum et plenum sceleris consilium, qui ne liberalia studia exercerent christianis interdixerat. Futurum enim sentiebat, ut facile dispicerentur expertes litterarum, nec diu florere christianum posse nomen si ab humanitatis artibus alienum vulgo putaretur. Deinde vero quoniam ita sumus natura facti, ut ex iis rebus quae sensibus percipiuntur ad eas assurgamus quae sunt supra sensus, nihil est fere ad iuvandam intelligentiam maius, quam scribendi virtus et urbanitas. Nativo quippe et eleganti genere dicendi mire invitantur homines ad audiendum, ad legendum: itaque fit ut animos et facilius pervadat et vehementius teneat verborum sententiarumque luminibus illustrata veritas. Quod habet quamdam cum cultu Dei externo similitudinem: in quo scilicet magna illa inest utilitas, quod ex rerum corporearum splendore ad numen ipsum mens et cogitatio perducitur. Isti quidem eruditionis fructus nominatim sunt a Basilio et Augustino collaudati: sapientissimeque Paulus III. decessor Noster scriptores catholicos iubebat stili elegantiam assumere, ut haeretici refellerentur, qui doctrinae laudem cum litterarum prudentia coniunctam sibi solis arrogarent.

Quod autem litteras dicimus excoli a Clero diligenter oportere, non modo nostrates intelligimus, sed etiam graecas et latinas. Immo apud nos plus est priscorum Romanorum litteris tribuendum, tum quod est latinus sermo religionis catholicae Occidente toto comes et administer, tum etiam quia in hoc genere aut minus multi aut non nimis studiose ingenia exercent, ita ut laus illa latine cum dignitate et venustate scribendi passim consensuisse videatur. Est etiam in scriptoribus graecis accurate elaborandum: ita enim excellunt et praestant in omni genere exemplaria graeca, nihil ut possit politius perfectiusque cogitari. Huc accedit quod penes Orientales graecae litterae vivunt et spirant in Ecclesiae monumentis usuque quotidiano: neque minimi illud faciendum, quod

eruditi graecis litteris, hoc ipso quod graece sciunt, plus habent ad latinitatem Quiritium facultatis.

Quarum rerum utilitate perspecta. Ecclesia catholica, quaemadmodum cetera quae honesta sunt, quae pulcra, quae laudabilia, ita etiam humanarum litterarum studia tanti semper facere consuevit, quanti debuit, in eisque provehendis curarum suarum partem non mediocrem perpetuo collocavit. Revera sancti Ecclesiae Patres, quantum sua cuique tempora siverunt, exculti litteris omnes: nec in eis desunt, qui tantum ingenio et arte valuerunt, ut veterum romanorum graecorumque praestantissimis non multum cedere videantur. Similiter hoc summum beneficium Ecclesiae debetur, quod libros veteres poetarum, oratorum historicorum latinos graecosque magnam partem ab interitu vindicavit. Et, quod nemo unus ignorat, quibus temporibus bonae litterae vel per incultum et negligentiam iacerent, vel inter armorum strepitus Europa tota conticescerent, in communibus monachorum ac praesbyterorum domiciliis unum nactae sunt ex tanta illa turba barbariaeque perfugium. Neque praetereundum, quod ex romanis Pontificibus decessoribus Nostris plures numerantur clari scientia harum ingenuarum artium, quas qui tenent eruditi vocantur. Quo nomine permansura profecto memoria est Damasi, Leonis, Gregoriique magnorum, Zachariae, Silvestri II., Gregorii IX., Eugenii IV., Nicolai V., Leonis X. Et in tam longo Pontificum ordine vix reperiatur, cui non debeant litterae plurimum. Providentia enim munificentiaque illorum, cupidae litterarum iuventuti passim scholae et collegia constituta: bibliothecae alendis ingeniis paratae iussi Episcopi ludos aperire in Dioecibus litterarios: eruditi viri beneficiis ornati, maximisque propositis praemiis ad excellentiam incitati. Quae quidem tam vera sunt, tamque illustria, ut ipsi saepe Apostolicae Sedis vituperatores, praeclare romanos Pontifices de studiis optimis meritos, assentiantur.

Quamobrem et explorata utilitate et exemplo decessorum Nostrorum adducti, curare diligenterque providere decrevimus, ut huius etiam generis studia apud Clericos vigeant et in spem gloriae veteris revirescant. Sapientia autem operaque tuae dilecte fili Noster, plurimum confisi, hoc, quod exposuimus, consilium in sacro Seminario Nostro Romano exordiemur: nimirum volumus, ut in eo certae destinataeque scholae adolescentibus aperiantur acrioris ingenii diligentiaeque: qui emenso, ut assolet, italicarum, latinarum, graecarumque curriculo litterarum, possint sub idoneis magistris limatius quiddam in illo triplici genere perfectiusque contingere. Quod ut ex sententia succedat, tibi mandamus ut viros idoneos deligas, quorum consilium atque opera, Nobis auctoribus ad id quod propositum est adhibeatur.

Auspiciem divinorum munerum benevolentiaeque Nostrae testem tibi, dilecte fili Noster, Apostolicam Benedictionem permanenter in Domino impertimus.

Datum Romae apud S. Petrum die XX Maii Anno MDCCCLXXXV. Pontificatus Nostri Octavo.

LEO PP. XIII.

NOTICE OF BOOKS.

The New Parish Priest's Practical Manual. By JOSEPH FRASSINETTI, Prior of St. Sabina, Genoa. Translated from the Italian by REV. WILLIAM HUTCH, D.D. London: BURNS AND OATES.

Dr. Hutch has before now done good work for Catholic literature, as author, essayist, and translator. His Biographies of Nano Nagle and Mrs. Ball are well-known and highly esteemed, and his translation of Bellecio's work is already a favourite edition with very many in these countries who use the Ignatian Spiritual Exercises as a book for meditation, or pious reading. But the work of greatest usefulness which Dr. Hutch has yet produced, is decidedly his translation of Frassinetti's "New Parish Priest's Practical Manual." The best proof of its usefulness is the fact that *two thousand* copies of the work have been sold within six months, and now a second and revised edition, also of two thousand copies, has just been issued to meet the applications from these countries and America.

This book is intended for the exclusive use of the clergy. Though its title would seem to indicate that it is addressed specially to the lately-appointed Parish Priests, it is no less applicable and useful to all missionary priests in Ireland, America, and all those countries where the junior clergy share with their elders in the duties and responsibilities involved in the care of souls.

The fact that Dr. Hutch, already so distinguished as an author, and so experienced in the missionary life, has thought the work of Frassinetti worthy of translation for the benefit and guidance of his brothers in the priesthood, is a guarantee that it must be indeed a book of rare merit. But Dr. Hutch has not depended on his own judgment alone. Everywhere Frassinetti's Manual is known, it has been accepted as a standard work. In Italy alone it has already passed through nine editions. This is the book which Father Ballerini calls an "*opusculum egregium*," and which he recommends to missionary priests as "*dignissimum quod diu noctuque manibus teratur*;" a standard book wherein whatever relates to the manifold duties of the priest charged with the care of souls is admirably treated. (Ballerini's Edition of Gury—*Tract. de Stat. particularibus*, cap. ii., art. 2.) After such an encomium from such an authority, it would be out of place for us to add our word of praise; but, after reading the book, we may be permitted to say, that we believe that Father Ballerini's highly eulogistic judgment of it is no more than the work deserves.

The Manual is divided into three parts. The first part treats of the duties of the missionary priest, with the exception of those duties bearing directly on the administration of the Sacraments. For instance, in this first part the author deals with such subjects as these:—The Care of the Poor—The Care of the Schools and the Usefulness of providing wholesome Literature for the people—The Care of the Church and Presbytery—The Management of

Confraternities and Sodalties—How Scandals are to be prevented—On Preaching.

In the second part the subject-matter includes the duties of the priest in the administration of the Sacraments; and no priest can read any one of the many chapters without being struck at the wise and valuable suggestions it contains.

The third and last part treats of the virtues which are most necessary to the missionary priest, and how they are to be exercised.

We have only one objection to the book, or rather to a few passages in some two or three chapters of the third part. The translator tells us in his preface that he has, now and again, omitted an occasional paragraph of the original, because he believed it to be unsuited to the circumstances of these countries. Our regret is that he did not exercise his privilege a little more freely, for in our judgment some few passages have remained even in the new edition which can hardly apply, and consequently may give some displeasure or offence, to those for whom the book is intended.

To Dr. Hutch, his brother priests are deeply indebted for this very useful book, this "*opusculum egregium*;" and the very short time it has been before the public has sufficed to prove that it needs only to be known to become in this country and America a Manual with which every priest should be thoroughly familiar.

Ed.

BOOKS RECEIVED.

From GILL & SON, Dublin—

Handicraft for Handy People. By AN AMATEUR MECHANIC.

Philosophia. By the author of "Union unto Perfection."

How to Write a Composition. By S. A. FROST.

Auxilium Prædicatorum. By REV. PIUS DEVINE.

Month of Sacred Heart. By L. S. OLIVER.

Harbours and Fisheries. By WM. I. DOHERTY, C.E.

From BENZIGER BROTHERS, New York—

Our own Will, and How to Detect it in our Actions. By Rev. J. ALLEN.

History of the Church. By Dr. HEINRICH BRUECK, D.D.

From PUSTET & Co., New York—

Tributes of Protestant Writers to the Truth and Beauty of Catholicity.

By JAMES J. TREACY.

Life of Catherine Emmerich. By V. Rev. K. E. SCHMÖGER, C.S.S.R.

From THE CATHOLIC PUBLICATION SOCIETY, New York—

Reasons why we should believe in God, love God, and obey God. By

PETER H. BURNET.

Spiritual Retreat.

From JOSEPH A. LYONS, Notre Dame, Indiana—

A Troubled Heart, and how it was Comforted.

From ROGER ET CHERNOVIS, Paris—

Impedimentorum Matrimonii Synopsis. Auctore G. ALLEGRE.

From BROWNE & NOLAN, Dublin—

Lessons in Domestic Science. By F. M. GALLAHER.

Handbook of Greek Composition. By H. BROWNE, S.J.

THE IRISH ECCLESIASTICAL RECORD.

AUGUST, 1885.

FAITH AND EVOLUTION.

SINCE the publication of my Article on Faith and Evolution in the RECORD of last December, the subject has attracted a good deal of attention. It has led to a somewhat lengthened discussion in the columns of the *Tablet*, and in the last number of the RECORD, the subject is re-opened by the Rev. John S. Vaughan. I appreciate fully and respect very highly the motive which has prompted Fr. Vaughan to write—namely, “the hope that a free ventilation of conflicting opinions may throw some additional light” on a matter to which theologians cannot be indifferent. And if the subject is discussed as it is by Fr. Vaughan, with good taste, good temper, and ability, the discussion cannot fail to serve the cause of truth. With reference to the correspondence in the *Tablet*, I deem it right to say that I did not inaugurate the discussion in that journal. I felt all along that the discussion was out of place in a public journal intended for general readers; and this feeling became a settled conviction when I saw one of my critics stating, as a perfectly orthodox supposition, that “Adam grew from an embryo located in the womb of some lower animal to a man.” However theologians may discount a statement like this, it must be a severe shock to the faith of ordinary Catholics.

Now, I set out by expressing my decided conviction that not one proposition contained in my Article has yet been seriously threatened. The Scriptural account of man’s creation, taken in the ordinary meaning of the words, clearly points to the doctrine of the *immediate formation* of the first man’s body—a doctrine that is incompatible with Evolution. The Fathers of the Church, with scarcely an

exception, interpret Scripture in that same sense. Coming down along the line of Catholic Tradition we find our great theologians teaching the same doctrine in language still more precise and clear. And as we come to our own time when this strange Evolution theory is first distinctly heard of, we find the best theologians, our most reliable guides, reprobating it in most unmeasured terms. Thus, I say, in such teaching we must recognise the voice of the ordinary *Magisterium* of the Church forbidding in no doubtful tones the application of the Evolution theory to man.

Now, Fr. Vaughan does not deny this doctrine of *immediate formation*; he does "not even go so far as positively to deny my right to contend that Adam's immediate creation is of Faith" (page 416), but he maintains that it is "sufficiently uncertain to give the opposite opinion at least a probable liceity. And he regards my "attempt" to rob us of the freedom to which such a doubt alone can entitle us," as "the only regrettable part" of my Article. I assure Fr. Vaughan that no one can contend more earnestly that I do for the motto, "in dubiis libertas." But my doctrine is not mine; I allowed my authorities to speak for themselves, and anything I said was fair comment on them. They held the *immediate formation* of the first man's body to be a revealed doctrine, an integral part of the Divine deposit of Faith. And if it be such, and if we have sufficient knowledge that it is so, then neither Fr. Vaughan, nor I, nor anyone else, can dispense in the obligation of believing it. To state this (and this is all that I have done), I cannot regard as in any sense "regrettable." At all events my critics have to deal rather with my authorities than with myself.

Father Vaughan's article may, I think, be comprised under the following heads:—1. That the question of immediate or mediate formation is in reality a matter "of minor importance." 2. That analogy renders the doctrine of *immediate formation* doubtful. 3. That the doctrine of immediate formation is either not revealed at all, or, if revealed, that the fact of its revelation is too uncertain to deprive opponents of the "liberty of holding opposite views."

That God formed man's body of the dust or slime, and that He breathed into that body a living soul, are, as Fr. Vaughan rightly says, points that admit of no discussion among Catholics. But the question as to the "*manner*"

in which God formed Adam's body is, he says, "of quite minor importance." (p. 414) "It is not a matter that can materially affect our duties to God, or our religious attitude, or in any way be needful for us to know." It is "a curious and hidden part of the history of our race, but to suppose that it has any deep-rooted connection with our religious interests, or that it can affect in any appreciable way our attitude towards God, or towards each other, is surely a profound mistake." (p. 414.) Now, the word "manner" used here is an equivocal term; it may be taken in many senses, but the sense here is whether God Himself formed the first man's body, or whether it is the outcome of natural causes, instituted, set in motion, controlled, and directed by God. Now, Suarez actually does say that the "manner" "*modum creationis ejus*" is laid down by Moses in the second chapter of Genesis." (*Op. Sev. Dic., lib. 3, c. 1.*) Again the following questions are equivocal:—Fr. Vaughan asks, "Was it in an instant or during a protracted period of many years?" "Was Adam's body ere yet his soul had been breathed into it instantly prepared for its reception by the command of God, or only slowly and by a gradual process of greater and greater development?" Now, whatever answer may be given to these questions, it in no way whatever affects the doctrine of *immediate formation*. For in this matter "*immediate*" is used not at all as equivalent to instantaneous, not with any reference to time, but to the exclusion of intermediate causes. For Evolutionists the question of time is, of course, of vital importance, but for their opponents the sole question is whether the formation of the first man's body is or is not the immediate act of the primary cause, no matter whether that formation may have occupied countless ages, or be accomplished in the "twinkling of an eye." It is necessary that this should be borne in mind, because theologians have been quoted in this discussion as against *immediate formation*, who are merely discussing the totally different question of *instantaneous formation*.

If this doctrine be in reality "of quite minor importance" how comes it that most of our dogmatic and scholastic theologians discuss it at great length? and how comes it, that at present, it has within a few weeks attracted so much attention? The importance of a doctrine like this is not a matter to be decided off-hand. If the doctrine be revealed, then is its revelation a sufficient warrant of its

importance. It is a revealed doctrine that God made man of the slime of the earth. Now it is the true, full, and accurate meaning of this proposition that is important for us to know, and that God wishes us to know, and to believe. And my contention is that the true, full, and accurate meaning of that proposition directly includes the *immediate formation* of the first man's body: and consequently to say that the doctrine is unimportant is simply to beg the question, by implying that it is not revealed. So also, to say that this doctrine does not affect our duties to God is an assertion that cannot be maintained unless we are prepared to disprove its revelation. If it be revealed, and if we know it to be so, then to believe it is one of our "duties to God," and the discharge of that duty has a most "deep-rooted connection with our religious interests." If a Lutheran were to appear before the Fathers of the Council of Trent to protest against Transubstantiation, and to urge the counter claims of con-substantiation, he might with a considerable show of reason urge the argument adduced here by Fr. Vaughan. He might say that it was of "quite minor importance," "not a matter which can materially affect our duties to God, or our religious attitude, or in any way be needful for us to know." He might say that "all that is really expedient for us to believe" is that our Lord's Body, and blood, soul and Divinity, are really and truly present, and that in receiving the Blessed Sacrament, we really and truly receive the source and fountain of all grace. "What does it matter from a religious point of view," he might say, "whether the substance of bread and wine remains, or does not remain, after consecration, if our Lord be really and truly present there"? This line of argument would not have weighed much with the Fathers of Trent. They would inform the disciple of Luther that, Con-substantiation would not verify the revealed proposition "this is my body," and they would appeal to Fathers and theologians to bear them out in that assertion. My answer is just the same. It is a revealed proposition that God made man of the slime of the earth, and Evolution is incompatible with that proposition taken in its ordinary meaning, and Fathers and theologians so interpret this proposition so as to exclude Evolution. The question for us then is, not which of two conflicting doctrines is the more practically useful, but which of them is true.

To discuss the argument from analogy would, in reality,

be a waste of time, for it is no argument at all. Mr. Mivart, quoting Darwin, admits this in the current number of the *Nineteenth Century* (p. 44). The question for us is not, how this world came to be what it is, nor how men come into existence *now*, but how the first man came to be. And if analogy were to be followed in this matter, it would carry Father Vaughan much farther with the Evolutionists than he is prepared to go. We have strong grounds for believing that "the earth was slowly and gradually prepared to receive the body of our first parent," but we have stronger ground for believing that that body was formed *immediately* by God. We cannot of course say that God "gives immediately to the beasts their food," for experience bears testimony to the contrary, and wherever experience is our *sole* guide we can make no assertion which it does not warrant. We can have no experience, surely, of the manner in which the first of our race was formed. But a better guide we have in Revelation, teaching us that the first man is the *immediate* work of God. And the text from St. Thomas, as well as the quotation from the eloquent and learned Bishop of Birmingham are altogether beside the question. Indeed, it would be quite easy to quote from Dr. Ullathorne's admirable book words that must be unpleasant reading for Evolutionists.

At page 14, Dr. Ullathorne says, "the Divine Artist moulds the body of man, *not from some preexisting animal*, but from the finer particles of the earth." And after this statement Dr. Ullathorne is quoted as countenancing Evolution!

"What do the theologians teach in regard to the subject before us"? asks Father Vaughan (page 416). And before answering he gives certain characteristics which must belong to teaching of theologians, before that teaching can have much authority: "It is not enough that theologians have been unanimous in teaching a certain doctrine," if they teach it only "incidentally and *per transennam*;" if they teach only "generally, and merely as the common opinion of their time." Then the doctrine must concern faith or morals, and in interpreting authoritative teaching we must "grasp the sentence in its entirety." Now all this I admit freely with the exception of that part which asserts that *incidental*, and *per transennam*, teaching "cannot command much respect or claim much authority." How much of the evidence in favour of the Immaculate

Conception was *incidental* and *per transennam*, before the definition of that doctrine? How very indirect and incidental are many of the sayings of the Fathers in support of that doctrine? The same may be said to a considerable extent of Papal supremacy and infallibility. In fact there is no denying that some of our most conclusive arguments in favour of many Catholic doctrines are grounded on indirect incidental references of this sort. If the doctrine be one affecting faith and morals, the teaching of Fathers and theologians with reference to it, is of very high importance, commands respect, and claims authority, no matter how indirect or incidental that teaching may be.

Having laid down the characteristics of authoritative teaching, Fr. Vaughan says: "Now, I ask, is the question as to *how* God formed Adam's body, a *res fidei aut morum*?" (417) And I answer: most decidedly it is a *res fidei*, it is a revealed doctrine, an integral part of the Divine deposit of Faith. This is a very plain simple issue, and I now proceed to prove it. That "God made man's body of slime or dust," is, according to Fr. Vaughan, and to all Catholics a dogma of Faith, regarding which there can be no controversy among Catholics. Now, it is not as a mere verbal formula that we are to regard this proposition. We are to see what is its true, full, and accurate meaning; and that we are to take in and believe, as part—and a very important and vital part too—of the Divine deposit of Faith. Does the proposition then mean that God himself formed the body of the first man—that it is His own *immediate* work? Or does it mean that God infused some life-germ into some primary matter; that this something produced something else—natural laws and natural selection, of course, concurring; that this something else produced something else still; and that this system continued for ages, no one knows how many, till ultimately in the fulness of Evolutionist time, "Adam grew from an embryo located in the womb of some lower animal to a man." Which of these, I say, is the meaning of the revealed truth of Faith, God made man's body of the slime of the earth?

"The literal sense is hard to flesh and blood,
But nonsense never can be understood."—*Dryden.*

The literal sense is the sense in which Catholics have taken this very vital truth, ever since Christianity began. It is the sense of the theologians. The other sense is the

gospel of Evolution. And if this gospel of Evolution be the true meaning of the proposition that God made man's body of dust or slime, is it not strange that no Catholic for 1800 years should have even a remote conception of this meaning. For all that time the Church taught the above revealed proposition, and for all that time the faithful believed it; and yet all along the Fathers and Theologians were ignorant of what she taught, and the faithful ignorant of what they believed—that is if Evolution be applicable to man! That Catholic must be very credulous who accepts Evolution on such terms, and on these terms it must be accepted, if at all. In my Article, in December, I quoted a good many authorities to show that the literal sense is the proper one—the sense taught by the Church—and that consequently the *immediate formation* of Adam's body is a "*res fidei*," a revealed truth. These authorities I might have multiplied many times. I did not regard the Scripture texts as conclusive proof of this doctrine. I merely said, and I now repeat it, that those texts taken in their ordinary meaning clearly pointed to *immediate formation*. But, knowing how men quarrel about texts and distort them, I quoted Fathers and Theologians as determining—fixing the meaning of the Scripture texts. I found them teaching the immediate formation of Adam's body, and thus removing all doubt as to the meaning of the Scriptural account. On this *one proof* I grounded the doctrine maintained in my Article of last December; and notwithstanding a good deal of hostile and some unmannerly criticism, that one proof remains unimpaired. One of my critics in the *Tablet* (June 27th), says that we can conclude nothing from the Fathers in this matter, until we have shown that they are not speaking as philosophers. Indeed! Then the Fathers, when they are explaining to us truths of Faith, and quoting Scripture texts for that purpose, must first tell us that they are doing so, lest we may mistake them for philosophers discussing questions unconnected with the faith! This writer requires a number of conditions as essential to the *consensus Patrum*, which would certainly remove the difficulties of that consensus; but, by removing the possibility of any such consensus, with reference to any doctrine. The only difficulty with reference to the Fathers arose from St. Augustine, but this difficulty was removed by St. Thomas—a very competent authority. The critic already referred to, says of this difficulty: "These *seminal ratios* have perplexed all students of the Father, and sometimes

perhaps puzzled himself; so that it is no matter for wonder if they are misunderstood." And yet though St. Augustine did not know the meaning of his own words, and though no student of his works has been able to divine his meaning, this modest critic solves the difficulty in just two lines of the *Tablet*! I follow St. Thomas in preference.

In discussing the testimony of the Fathers in my essay in last December, I referred to a very able article in the *Dublin Review* for July, 1871, where the subject was treated at great length, and with very great ability. The writer of that article stated that the followers of St. Basil, which was nearly equivalent to the whole *Traditio Patrum*, taught this doctrine of the *immediate formation* of the body of the first man. I have examined this writer's references, and have found them correct. In addition to those mentioned by this writer, I find this doctrine taught by Tertullian, *Lib. contra Marcion. n. c. 4*. It is taught clearly and explicitly by St. Gregory the Great (*Lib. Mor. c. 49*), and by Lactantius (*Lib. 2 de origine erroris, c. 9*). In fact I think it would be very difficult to find any of the Fathers, who has discussed the subject, that does not either explicitly, or by implication teach this doctrine. St. Chrysostom has been quoted by my critics as opposed to this doctrine. And yet I say fearlessly that in the whole long line of the Fathers there is no more decided advocate of immediate formation than this great light of the Oriental Church. In his 12th Homily on Genesis, he argues that man ought to be humble since he is made of the dust of the earth as other animals are, though differing in the manner of his formation, "*quamvis formatio animæque substantia incorporalis multo excellentior per benignitatem Dei concessa sit.*" In Homily the 13th he dwells on the great dignity of man arising from the different manner of his formation, and also from the nature of the soul. He says that in other cases God spoke and they were made, and the same he says might have occurred in man's case had God so willed it. But God so spoke with reference to man's creation as to teach us the manner of his creation,—"*Simul ut modum Creationis doceat,*" and the difference of manner also, which constitutes man the work of God's own hand—"*et diversitatem qua, ut humano modo loquor, veluti Dei manibus formatum indicet.*" He then says that man's body was formed of the finer particles of earth, and that when the body was thus formed by God the soul was infused into it. It would be difficult to express in language clearer than this the doctrine of

the immediate formation of the first man's body. And yet the advocates of Evolution quote St. Chrysostom as on their side!

In passing on to the Theologians, I repeat what I stated with reference to the Fathers,—that it is difficult to find any Theologian who discusses the subject, that does not either explicitly or implicitly teach the immediate formation of Adam's body. To the authorities quoted by me in my former essay I shall merely add a few well-known names, though I might multiply the number many times. Tostatus, who has been quoted against *immediate formation*, clearly teaches that doctrine in his Commentary on Genesis. (c. 2, q. 10). Sylvius in his Commentary on St. Thomas (Tome 1st), confirms the teaching of his great master. Father Arriaga is quoted by Father Vaughan, as a "remarkable exception to the so-called unanimity of Theologians," in teaching the immediate formation of the first man's body. And yet not even Suarez himself is a more decided advocate of this doctrine than Arriaga! In his work *De Op. Sex Dier.* Disp. 34, Arriaga treats the question, whether God formed *immediately* the body of the first man, or whether it may not be produced by angelic ministration. He rejects the Scriptural proof given by Suarez for *immediate formation*, and as a consequence of that rejection he says against Suarez that it would not be erroneous to hold the angelic ministration. But he holds with Suarez the doctrine of immediate formation, though he does admit the Scripture proof to be conclusive. These are his words—"Quidquid tamen sit de censura, omnino judico, Deum non usum ministerio angelico in ea formatione, sed *immediate per se* id praestitisse." After giving his reason for this view, Arriaga proceeds to discuss the totally different question of *instantaneous formation*, and under that heading, the quotation given by Fr. Vaughan occurs. Thus then Fr. Vaughan quotes against *immediate formation*, language used by Arriaga on a totally different question. So much for the "remarkable exception," alleged by Fr. Vaughan. Fr. Schouppe, S.J., and Knoll a Bulsano, both teach immediate formation. Fr. Hurter, S.J. (Dog. Th., vol. 2, p. 204) quotes Mr. Mivart's opinions, and says, "eam tamen reprobamus quod rationi non sit consona, neque Sacrae Scripturae."

Here, then, we have a consensus of Catholic teaching, founded on Scripture, and handed down to us by the principal Fathers and theologians in every age from the

early dawn of Catholic Tradition down to our own time. All along it is unbroken, consecutive, consistent, affirming the *immediate formation* of the body of the first man. Here, again, I take this expression in its ordinary meaning, and in doing so I am within my strict right—am acting logically. My critics seem to forget that if they chose to divert words from their ordinary meaning, on them rests the burden of proof; and proof in this case they have not given. Now, then, this word taken in its ordinary acceptation excludes Evolution which is a system of production depending immediately on secondary causes without number—a system which separates by countless intermediate agencies the effect from its alleged immediate cause. The Fathers and Theologians in explaining for us this vital article of our Faith, discuss the place where man's body was formed, the nature of the slime, how it was procured, and whence; how far angels may be permitted to minister in bringing together the material. Evolutionists, on the other hand, trouble themselves very little with all this. They absolve themselves from the necessity of making any definite statement. Life, of course, must have commenced in some way or other, and to suit their purposes, it must have passed on in the direction of man. To meet the difficulties of theology, Mr. Mivart introduces certain "jumps"—specimens of Evolution made to order—which enable Evolutionists to surmount inconvenient obstacles in their way. Ultimately the anthropoid ape, or some such convenient creature is reached—a creature which at present happens to be "missing"—and this being does for the Evolutionists what God, or perhaps the angels, did for the Theologians. Mendive, quoted with approval by Fr. Vaughan (p. 422), says that the "ape, by virtue of its natural powers, would only have wrought the elementary rudiments of earth into the initial organism of man's body." But up to this there is no question of any immediate act of God; no question of angelic ministration, the primary creation of matter endowed by God with certain powers; natural laws, instituted and maintained by God to develop those latent powers, and sufficient time for this development, and a "jump" or two across obstacles otherwise insurmountable; this is all that Evolutionists require. But will this satisfy the Fathers and Theologians? They, of course, did not contemplate the Evolution theory, and we are not therefore to expect from them an explicit contradiction of it.

But, in the absence of that knowledge of Evolution, it would be impossible for them to use language more clearly incompatible with the principle on which that theory depends. It would be impossible to construct two systems more directly contradictory. And yet both are explanations of the one revealed proposition, "God made man of the slime of the earth." Now, which explanation are we, as reasonable Catholics, to accept—that of the Fathers and Theologians, explaining to us an article of Faith, and speaking of it in a manner that is fully borne out by Scripture; or that of the Evolutionists, who so interpret the Scripture text as to rob it of all definite meaning, and to make it a riddle, which the sceptic will reject with contemptuous scorn? What text of Scripture could survive such treatment as this? Surely no system of exegesis could be more suicidal for Catholics to adopt than one which, while it fails to satisfy their own principles, gives to the enemies of Revelation a handle for the total rejection of the whole body of Sacred Scripture as a collection of meaningless jargon. But how can our Evolutionists on Catholic principles meet the difficulty of Eve's creation? The language of Scripture is precise and clear, and the Fathers and theologians are absolutely unanimous (with the exception of the eccentric Cajetan) in explaining it, and it is a "*res fidei*." Eve, then, must be a special creation, and not an outcome of evolution. Now, if Evolution sufficed to bring Adam into existence, why institute a special dispensation for Eve? The creation of Eve, then, is quite sufficient to determine the meaning of the Scriptural account of Adam's formation, and quite sufficient to deter Catholics from adopting the Evolution theory as at all applicable to man. And as we come down to our own time we find our best modern theologians, who have examined this novel theory, rejecting it, and reprobating it as incompatible with the Faith. Such, then, is the meaning attached by Fathers and Theologians to the revealed doctrine that God made man of the slime of the earth. In interpreting that doctrine they are clearly within their province, and against their testimony and their teaching speculations and conjectures, falsely called science, cannot for a moment stand.

Now do the Fathers and Theologians teach this doctrine as a *res fidei*? The readers of the RECORD do not require to be reminded of the distinction between *fides Divina*, and *fides Catholica*, between *subjective* and *objective Faith*.

Everything contained in the Divine deposit of Faith—every revealed truth is *fides Divina*, and this becomes “*fides Catholica*” when the Church proposes it for the belief of the faithful. *Objective* Faith is the Divine deposit considered in itself, and *subjective* Faith is Faith as it is in us—our apprehension of the truths contained in the Divine deposit; and once that we know any truth to be part of that Divine deposit, we have no liberty to deny it or to doubt it. Now, in discussing the *immediate formation* of man’s body, the Fathers and Theologians appealed directly to Scripture texts as proof of that doctrine, and thus clearly testify their own belief that the doctrine is contained in those texts, and is therefore, in their views, an integral part of the Divine deposit of Faith. One of my critics in the *Tablet* expressed his amazement at this assertion. The assertion is, that when a Theologian of character and ability quotes a Scripture text as a direct proof of a certain doctrine, he must believe that the doctrine is contained in the text, he must believe that the doctrine is an integral part of the Divine deposit of Faith. Now he must either believe this, or he must be knowingly perverting Scripture—an alternative that is not open to any Catholic in speaking of such Theologians as I have named. Now then, this doctrine of the *immediate formation* of the first man’s body in a sense incompatible with Evolution comes to us, as the teaching of Fathers and Theologians, unbroken, consecutive, consistent all along the line of Catholic tradition, from its first authentic document down to our own time. It comes to us as their interpretation of a Scripture text, their explanation of a very vital dogma of Faith. It comes to us not merely as their individual opinion (though even as such its weight would be very great), but on their testimony as the Faith of their time. For these Fathers and Theologians taught with the full knowledge of their Bishops, with the knowledge of the Prince of Bishops—the visible Head of the Church, and against their teaching no authoritative voice has been raised for 1800 years. And for all this time the belief of the faithful, the *sensūs fidelium*, has been in perfect harmony with the voice of their teachers. This testimony is abundantly sufficient to bring home conviction to men who, like Fr. Vaughan, are trained to reason on Catholic principles, and the simple faithful are already convinced. Then, I say, such teaching and such testimony make it certain to us that the doctrine is true and revealed, and consequently we have no claim to that liberty of doubt for which Fr. Vaughan contends.

Against all this Fr. Vaughan argues (1) that the doctrine is not one on which a *consensus* of Theologians is of much account; and (2) that there is no such *consensus*. Now the importance of the doctrine is, I think, already settled. To deny its importance, is to argue against facts; and consequently the quotations from St. Vincent of Lerins, Melchior Cano, and St. Thomas do not apply. The reference from St. Thomas is not "as good an analogy as we can expect to meet with," nor indeed an analogy at all; and for the very reason, among others, which fails to satisfy Fr. Vaughan, namely, that there is not a *consensus* as to the "manner and order" in which the world was made. There have been conflicting theories on the subject from the earliest days of Christianity. And this answer is fully borne out by the text of St. Thomas: "*Cujus veritatem diversa expositione salvantes, diversa tradiderunt.*" The text of Franzelin, at first sight, appears to be a formidable difficulty, but the context completely removes the difficulty. Franzelin is discussing the value of a *consensus* of Theologians, as a means of exhibiting to us Divine tradition, and after stating that such a consensus is to us a certain argument that a doctrine is true and revealed, he says:—

"Haec autem accipienda ita sunt, ut valeant de ipsa doctrinae veritate non autem de modo eam explicandi; de doctrinis vere theologicis, ad res fidei et morum pertinentibus, non autem de placitis mere philosophicis, de sentiis ratis et firmis cohaerentibus cum doctrina Scripturae vel SS. Patrum, non autem de theorematibus opinantium modo propositis, de consensu non unius aetatis, multo minus, unius vel alterius Scholae, sed de consensu constanti et communi gravium Theologorum, qui temporis progressu non disierit."

After this immediately follows the passage quoted by Fr. Vaughan, which deals with a case in which the *consensus* has not the above characteristics. In Fr. Vaughan's extract Franzelin is contemplating either an opinion that does not refer to the truth of a doctrine, but rather to the manner of explaining and proving it; or he is speaking of something that is not in reality a revealed doctrine at all, but some philosophical speculation; or he is speaking not of a doctrine well-founded on Scripture and the Fathers, but rather some speculative opinion: or he is not speaking of a uniform and abiding theological *consensus* that gains strength with time, but rather of some opinion that has

been merely for a time (*aliquamdiu*) common. And, therefore, whether we consider the nature of the doctrine of *immediate formation*, the manner in which it is handed down by Fathers and Theologians, or the character of the *consensus*, the text of Franzelin quoted by Fr. Vaughan in no sense applies to it.

The quotation from Suarez (p. 420), is equally beside the question. In this place, Suarez is arguing the question whether our Lord from the first moment of His conception enjoyed the beatific vision. Suarez says it is the common opinion of Theologians that He did enjoy it. And after quoting a very far-fetched Scripture text, as suggesting the doctrine ("ut indicatur") he asks what certainty have we of this doctrine? It does not appear to be *de fide*, he says, for the reasons accurately quoted by Fr. Vaughan. I shall continue the quotation *just where Fr. Vaughan breaks off*. Suarez says, "Some Theologians think this doctrine so true, that its contradiction would be *temerarius*. But this censure is far too mild. For I think the contradictory doctrine would be *erroneous*, and *proximate to heresy*, because the Scripture testimony, taken together with the explanations and texts of the Fathers, and with the *consensus* of Catholic Doctors, suffices to generate that certainty." Now if the denial of the doctrine be proximate to heresy, the doctrine itself must be proximate to faith; and this, not Divine faith merely, but Catholic faith. Now if, according to Suarez, a doctrine that is merely suggested in Scripture, and only vaguely taught by Fathers and Theologians be, yet proximate to faith, what would he say of a doctrine that is the plain meaning of a plain text of Scripture that is clearly and continually taught by Theologians? What would Suarez say of such a doctrine? Simply what he has said,—that it is Catholic doctrine (*Op. Sex Dier.* B. 3, c. 1.) In introducing his authorities against the *consensus* of Theologians, Fr. Vaughan says, "we cannot suppose such men ignorant either of the teaching of the Councils, or of the opinion of the Fathers and Theologians" (p. 420). This remark would come with tenfold force from me. For my authorities are ten to one—fifty to one, in weight as well as in number, and surely we "cannot suppose such men ignorant of the teaching of Councils, or of the opinions of Fathers and Theologians." Arriaga is quoted as "a remarkable exception to the so-called unanimity among Theologians." But on turning to him, I find that he is not

“an exception” at all, that he teaches most distinctly the *immediate formation*, and as any one will see at a glance the text quoted from him by Fr. Vaughan is on a totally different question of *instantaneous formation*. One of my critics in the *Tablet* made a similar use of this text of Arriaga. It is perfectly amazing that any one who has seen the original could so misapprehend its meaning.

The testimony of the other authorities adduced by Fr. Vaughan is negative. They do not condemn the theory of *mediate formation*, but they do not hold it themselves, though they permit others to hold it. Now, if these be the great men which Fr. Vaughan describes them, they must have good reasons for what they do; and the reasons which move these great men to reject this doctrine may move others to “do in like manner.” The names of these theologians are not for a moment to be compared with those quoted by me, and their rejection for themselves of a doctrine which they allow others to hold is a proof that their own reasons for permitting it do not satisfy themselves. They show a distrust of their own reasoning when they refuse to act upon it. The most formidable of them apparently is Mendive, whom Fr. Vaughan describes as “one of the most famous living theologians of Spain.” Now, assuming, as I am sure we may, that Fr. Vaughan correctly represents Mendive, then I say his claim to be regarded as a “famous theologian” completely breaks down. For he quotes Suarez as admitting the probability of *mediate formation*, though there is not a syllable to warrant this in Suarez, and he quotes St. Chrysostom, Tostado, and Alphonsus de Castro for doctrines which they do not hold—for a doctrine which they regret. The fact is that Mendive, like many others, confounds *immediate formation* with the totally different question of *instantaneous formation*, and he attributes to his authorities views on the former question which they held only with reference to the latter. Now, this is so clearly laid down by Suarez (*Dr. Op. Sex Dier. B.* 3, c. 1, n. 4) that anyone who misapprehends his teaching can have no claim to be regarded as an authority. Fr. Vaughan says that Knabenbauer is quoted in favour of *mediate formation*. But he is quoted against it by Fr. Hurter, S.J., in his “Dogmatic Theology” (vol. 2, p. 204, *note*). Fr. Secchi is “world-famed” as an astronomer, but I have never heard him quoted as a theologian. I have no intention of questioning the learning and ability of Drs. Schäfer and

Guettler, but they do not rank with even the modern theologians quoted by me, and as already stated, they bring their own reasoning into disrepute by refusing to act upon it. But taking their authority at its best, it certainly does not impair the strength of that Tradition that has come down to us from the early Fathers, that has been transmitted to us, and vindicated by all our great Theologians in the past and in the present—a tradition that teaches the immediate formation of the body of the first man. Such a tradition, such constant and universal teaching is abundantly sufficient, as I have already said, to bring home conviction to men who are trained to reason on Catholic principles, and to take from us the freedom of denying or doubting a doctrine so handed down. It is the teaching of Fathers, Theologians, Preachers, and well may the faithful who believe it say: “*Sic credit quae sub coelo est Catholica Ecclesia, et omnes Episcopi consentiunt nobiscum.*”

J. MURPHY, C.C. :

SCIENTIFIC NOTICES.

WHAT IS THE COLOR OF THE SUN?

THIS seems, at first sight, a question easy to answer; for do we not, all of us, every day, or at least as often as our murky atmosphere will permit, look up at the sun with more or less of eagle gaze, and pronounce it to be yellow? But if we rise betimes and see it ere it has climbed high above the horizon, when it is peeping at us between the branches of the trees, and seemingly, perhaps like ourselves, only half awake to its own grandeur and brightness, is it not then deep red? Well, this we know is easily explained; and we are told that its rays, travelling towards us along the denser layer of the atmosphere, lose many of their other colors, on the way, and reach us shorn of almost all but the long slow red rays which make us misjudge its real color, and say that the sun is red and not yellow. But are we sure that we do not equally misjudge its color when we say that it is yellow? Truly we thus judge because when it has risen high above our heads, and we look at it through the less dense atmosphere which now

comes between us and the sun, we see its bright yellow color, and so conclude that when the former obstruction is removed we see it as it really is; but can we forget that if one obstruction has thus been removed, another and far greater one remains, and that if the lower atmosphere can and does impede so many of the rays that the red almost alone reaches us, may not the whole atmosphere through which we see it at its meridian height, weaken, if not entirely intercept other rays, and so transmit to us a combination which forms in our eyes its yellow light, which in that case would no more be the true color of the sun, than the red that misleads us when the sun is low?

It is difficult to realize the fact that we are dwelling at the bottom of a vast ocean of atmosphere, and that the rays of the sun force their way through hundreds of miles of that airy sea ere they reach us with their warmth and light.

We grow so accustomed to our home in the mighty deep, that it requires quite a mental effort to recognise our position, and to think how different the appearance of the great orb of day might be, could we but manage to rise to the surface of our atmosphere, and to see the sun as he really is. We may perhaps venture so far as to idly speculate upon what would be the outcome of such a new view of the sun; but few can go beyond mere speculation. At the most, tourists, more or less scientific, content themselves with a view from some Alpine height, where fatigued with the climb, and in the more or less vaporous atmosphere—none the less so because the air appears clear—they observe no change in the sun's appearance, and remark nothing new beyond an increase of power in the rays that fall directly upon them, or are reflected from the ice and snow around. They scorch their faces, and hasten down again, to glory in the little they have done, but to add next to nothing to science.

But others, who have thought out the problem, have set themselves to solve it; and amongst these earnest and energetic enquirers, Mr. S. P. Langley occupies, at the present moment, the chief place. He has done his work thoroughly, and reports that the sun is blue!

Last April, Mr. Langley gave a lecture at the Royal Institution on "Sunlight and the Earth's Atmosphere," which he communicated to *Nature*, where it may be read in the first two numbers of the current (32nd) volume. Our object is to direct attention to that admirable lecture,

and to gather up its conclusions for the benefit of our readers.

Mr. Langley was not content to rest in quiet contemplation of the sun at these lowest depths where men dwell; if he could not scale the hundreds of miles of atmosphere to gaze on the sun with no intervening veil, he could, at least, climb as high as possible out of the reach of the vapours, which render still more obscure the sea of air; and if not rend the veil, at least go where it is thinnest, and least impeding to the sun's rays in their descent to earth. So he chose, not the Peak of Teneriffe, as he first thought of doing, nor the great Rocky Mountains of America, which, high as they rise, would ill serve his purpose, seeing that their tops are the home of mist and fog: he selected the highest peak, Mount Whitney, of the Sierra Nevadas, in Southern California, which rise precipitously out of the dry air of the great wastes in lonely peaks, and look eastwards down from a height of nearly 15,000 feet upon the desert lands. No place could be better fitted for his purpose, and few perhaps are less inviting. Of course the American Government, as is its wont to do, gave all needful help in the shape of transportation and a military escort; and when the work was over, and the importance of Mount Whitney as a physical observatory fully recognised, that truly noble government set aside, as a state reservation, the Mount and its surroundings, to the grand extent of one hundred square miles.

All honour to the great Republic, whose gifts to science are so correspondingly great. But it might be objected, what is gained by climbing some three miles and upwards in the atmosphere, when that sea of air extends for some hundreds of miles? what will this comparatively small step avail to solve the question as to what the sun would show its colour to be when those hundreds are scaled?

But if we pause a moment to consider what the atmosphere is—how elastic, and how rapidly its density diminishes from the pressure of fifteen pounds upon every square inch here at its bottom, to that which is next to nothing at its upper surface—we shall not be surprised to hear that when we have ascended only four miles through its lowest layers, we have mounted nearly through half its mass; that four-mile stratum equalling in weight all the hundreds of miles that lie heaped in lessening strata above it; so that, for such observations

as Mr. Langley had in view, he may be said to have mounted half-way to the surface in that climb up Mount Whitney. We leave Mr. Langley to tell his own tale of travel, which he does graphically and pleasantly in the lecture; we have here only to deal with its results, which are as unexpected as they are important.

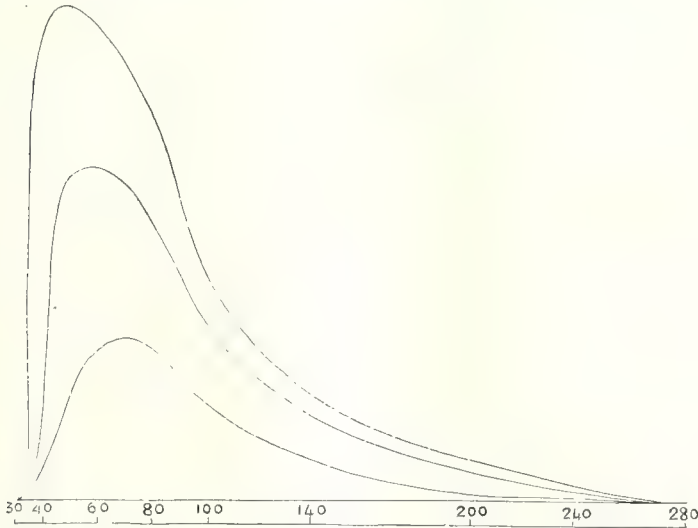
Of course he began his observations at the base of Mount Whitney, where he and his companions laboured for three weeks in almost intolerable heat, as we may judge from the fact that a thermometer rose to the extraordinary temperature of 237° in the sun; while in the tent, which was darkened for the study of separate rays, the "heat was absolutely beyond human endurance."

Then the overhanging Mount Whitney was climbed at no little risk and toil, while the instruments for observation were sent on the backs of mules a ten-days' journey by a less precipitous route, to the upper station. Then came scientific observations on their own bodies. The cooler the air in the ascent, the more the sun burnt them, for the hotter it blazed above them: burnt them so that their faces were seared as with red hot irons. While they waited for their instruments they looked around and down upon the earth, down far below, and saw there the air filled with reddish dust: the air-ocean was thereby turbid, but they were above its troubled waters, and their observations on the sun were strange indeed. It is difficult to describe the results with one diagram, but perhaps we may succeed in at least making ourselves partly understood. Everybody knows that the sunlight falling on a prism spreads out the white light into a band of colors, passing from red at one end of the solar spectrum into violet at the other end. When carefully tested these colors are found to vary in temperature, being *coldest* at the *violet* end and increasing steadily through the other colors to the *red* where it is hottest; and if the heat-testing instrument (the bolometer in this case) is carried beyond the visible red, the heat is found to increase rapidly in what may be called the invisible spectrum, and then to diminish again, but still to be sensible until it has reached a distance double in length of the whole visible spectrum. Such is the well-known result obtained under ordinary circumstances: but here both at the base and summit alike of Mount Whitney, whether in the arid basin of a long since exhausted salt lake, or amidst the snows and icefields of its lofty heights,

a new state of things revealed itself, as wonderful as it is new. The invisible spectrum beyond the red is no longer limited to a space double that of the visible spectrum, but spreads itself to an additional length which is equal to that previously observed with a length equal to that of the visible spectrum added, so that the invisible red (as we generally call it), is here found to be not merely twice, but *five* times the length of the whole visible spectrum from red to violet. Nor is this all, nor indeed is it the chief discovery ; for we find the rise of temperature is *altogether in the opposite direction*, that is to say, from red to violet. The red are now the coldest rays, the violet the hottest. At the extreme end of their new territory of invisible red the temperature first reveals itself—the warmth begins. As the bolometer passes along the heat increases steadily, but not until it tests the visible red rays does the heat grow into any comparative intensity ; then, as it passes through the various colours the orange, yellow, green, blue, indigo and violet, it rises, as with a bound, until it culminates in intensity at the extreme violet, whence it abruptly diminishes again until it is no longer perceptible in the invisible spectrum beyond the violet end. As it was in the plain below, so was it in the heights above, the same order and graduation of heat, but, of course, with increased intensity. The heat and light rays were here found to be double what they were below, the growth of power being greatest in the visible spectrum, and chiefly in the violet end of it.

But again the old objection may be urged. What avails all this when the observer is less than four miles above the earth's surface, and, even according to our own reckoning for rapidly increasing density, only practically half way up to the surface of the atmosphere ? The answer is that we have now data seemingly sufficient to solve the enigma, and quite enough to derive a very probable conclusion. We know what that half mass of the atmosphere which lies between the foot and summit of Mount Whitney has done to the rays that have traversed it ; cannot we then safely conclude what the other half of its mass does to those same rays in their passage downwards from the surface of the atmosphere to the elevated station ? We have now but to double the difference between the intensities of heat in the recorded observations above and below, and we shall know with sufficient accuracy what will be the relative intensities of the different parts of the

solar spectrum at the surface of the atmosphere.¹ But supposing these conclusions to be correct, and that we know not only the *reversed* order of growing intensity from *red* to *violet*, from the extremest end of the enormously lengthened invisible spectrum beyond the red, to its rapid bound of intense light and heat in the violet rays, and its rapid



¹ It is well known that the spreading out of the white light into a spectrum band of rainbow colors by the prism is caused by the different velocities with which the mixed waves of light move, and that of course depends upon their different wave-lengths. The shortest and swiftest waves which affect the eye, and so become visible, are the violet; the longest and slowest waves are seen as red. Slower waves than these red are not seen, quicker waves than the violet at the other end are likewise invisible, but not "to feeling as to sight."

If we draw a horizontal line, and mark on it the velocities of the different waves, and then draw perpendiculars to this line at the different points, we may represent the proportional intensities of heat at these several points by the proportional length of these lines; and if we join the upper extremities of these lines we shall draw a curve, the distance of each point of which from the horizontal line will represent the intensity of heat at the point beneath.

This our three curves represent, omitting the vertical lines whose lengths are measured by the curves themselves.

The under one gives us the observed comparative intensities of heat in the spectrum at the base of Mount Whitney, the middle one those at the summit of the Mount, while the upper one gives us the calculated spectrum at the top of the atmosphere.

The numbers represent the length of the waves, taking as unity the two and a half millioneth part of an inch. From 40 (violet) to 80 (red) is the visible spectrum, from 30 to 40 is the invisible spectrum at the violet end, and from 80 to 280 the invisible spectrum beyond the red.

decrease and extinction in the invisible blue; allowing all this, how do we thence derive an answer to the question, what is the color of the sun? A very little consideration will show. The white light which comes to us here below from the sun, and is scattered by the prism into the rainbow colors of the solar spectrum, can be easily collected together again and combined into the white solar light which their union originally constituted. In a similar manner the colors in the spectrum thus calculated for the outer surface of the atmosphere, their relative intensities being known, can be combined into one which will be the color of the sun, and which, were this veil of atmosphere removed, we should see, could our eyes endure the brightness of that appearing, as, broadly speaking, *blue*.

But this result of Mr. Langley's investigations though perhaps the most curious, is of course not the most important. We find the absorbing power of the atmosphere to be far greater than was hitherto supposed, seeing how intense is the heat which it intercepts and retains; so great indeed, is what Mr. Langley quaintly calls its *blanketing* action, that, as he has found by experiments, if the earth were allowed to radiate freely into space without any protecting veil, its sun-lit surface would probably fall, even in tropics below the temperature of freezing mercury; while on the other hand the heat poured down by the sun upon the unprotected earth would be capable of melting a shell of ice sixty yards thick annually over the whole earth. A variation of temperature which would necessitate, to say the least, a considerable change in the constitution of man.

Many other results obviously follow from these curious and valuable investigations which we leave the thoughtful reader to work out for himself. Anyhow it is something if such revelations as these teach us to look with gratitude upon this air-sea in which we live, and to be thankful for its protection, both against the fierce sun-rays which would otherwise scorch the earth into an arid desert and us into ashes, as also against that terrible radiation of heat away from us, which would clothe the world in one vast glacier, and freeze within us warmth and life. Summer heat and winter cold are tempered to our wants and capacities by this wonderful atmosphere in which we live, and without which we should die.

HENRY BEDFORD.

ADRIAN IV. AND HENRY PLANTAGENET.

“I can judge but poorly of anything, whilst
I measure it by no other standard than itself.”

Edmund Burke.

IT is still a debated question whether Adrian IV. was in any way concerned with the Norman incursion into Ireland in the twelfth century. The present contribution to the controversy is an attempt to approach the subject in a somewhat different manner from that usually adopted. No one pretends that the positive evidence for the authenticity of the “Bull of Adrian IV.” is conclusive. The popular credence which it has obtained is mainly owing to an impression that the Church in Ireland in the twelfth century was corrupt and disorganized; and that an English Pope was likely to favour the designs of a Norman king. These prepossessions have long held their ground owing to the fact that the vast majority of modern writers on this question have drawn their information from writers of the period who have been either foreign or hostile. By this I do not mean that these middle-age writers, and their modern commentators, have all been intentionally antagonistic. Some were far removed from every suspicion, save that which attaches to our common fallible humanity; and like many good men now-a-days, they would have been just to Ireland if they only knew how. The following is a brief inquiry into the characters of those concerned in the supposed transaction, followed by an attempt to find out what were the opinions of Irishmen in the twelfth century regarding a matter about which it is impossible to suppose that they could be indifferent.

Many are the perplexing and apparently hopeless controversies which long since would have been brought to a satisfactory termination if, as Edmund Burke advises, we tried to look at the inside of things by the help of light borrowed from without. Indeed, certain questions are so obscured by time, or distorted by sectarian or political fanaticism, that it is not too much to say, that without collateral illustration they cannot be measured at all.

All these elements of obscurity are found in the controversy which rages round the document by which Pope Adrian IV. is supposed to have made over Ireland to Henry Plantagenet. The historical period into which it

leads us was one in which great political contests aroused the fiercest passions, and coloured the records of the age, and it is the strange fate of Ireland that the struggles which began in the twelfth century are still drawn out. This is principally owing to the fact, that with the advent of Protestantism a new race of rulers stepped into the shoes of the old. Throughout the long struggle which has supervened, we must confess that the balance of prudence and sagacity has been on the side of the stranger. No seemingly weak point in the Catholic fortress has escaped observation. Amongst others, the supposed donation of Pope Adrian, which in Catholic times was well nigh unnoticed and disregarded, has now become one of the favourite themes of the orators and historians of Bible Societies, Orange Lodges, and all such kindred associations, whether open or secret, whose aim is to foster division, and foment disloyalty in the Church. There is another characteristic of this period which deserves consideration. It was a time when the lawless ambition of kings found itself face to face with a spiritual power against which force was vain. Hence, there never was a period when fraud was more active and wide-spread in the dealings of sovereigns with the Holy See, or more likely to be successful, owing to the disturbed state of Italy, and the consequent difficulties of communication: it was an age of forgeries, and, therefore, the Papal documents of that period must be scrutinized with care as great as that which St. Jerome or St. Leo expended on fabricated Gospels and Epistles. In the present instance a great part of this work has been already done by Archbishop Moran, and by a learned writer in the *Analecta juris Pontificii*,¹ but it has occurred to the present writer that some further light may be thrown upon this most interesting subject, by expanding arguments drawn from the history of the period, and examining the characters of the chief actors in this mysterious drama.

The story of the transaction is briefly as follows:—In the year 1155, immediately on his accession to the Pontificate, Adrian IV. is supposed to have written a private letter to the young king of England, then in his

¹ IRISH ECCLESIASTICAL RECORD, Nov., 1872. *Analecta*, May, 1882. The writer in the *Analecta* has rather weakened his argument by laying too much stress on one favourite theory, thus exposing his flank which has been assailed more furiously than successfully by the Rev. Sylvester Malone. (See *Dublin Review*, April, 1884.)

twenty-second year. In this letter, which will be given later on, there is not one word which suggests the idea of temporal domination, as the word *dominus*, which occurs once in the text, is common to ecclesiastical and secular documents. The letter is entirely devoted to ecclesiastical business, which is one of the most cogent arguments against its authenticity.

Although in the course of this discussion we shall have to consider the comparative state of religion in England and Ireland in the year 1155, we may here draw attention to the following fact: "Pope Eugenius III. sent John Paparo, a Priest and Cardinal, with the title of 'St. Laurence in Damasus,' to Ireland in 1152, as Legate, with four palliums for the four Archbishops of Armagh, Dublin, Cashel and Tuam. The Legate assembled a Council at which he presided with Christian O'Conarchy, Bishop of Lismore, and Apostolic Legate after the death of St. Malachy." Now Adrian IV. had been the disciple and one of the favourite ministers of Eugenius III.; he could not be ignorant of, and was not likely to be indifferent to the honours paid by his predecessor to the Irish hierarchy. Three years later, however, we are told that he sent a commission to a young layman, the king of a nation, which was itself apparently on the verge of schism, by which the said king was authorised to reform the Irish Church. Moreover the spiritual powers with which this king was invested were practically unlimited and probably more absolute than had ever been entrusted to any Papal Legate; for all preexisting ecclesiastical authority was so completely ignored that no notice of the mission of the lay plenipotentiary was given to the Papal Legate and Bishops of Ireland. In the "Bull" the Pope is supposed to congratulate the king on his wish "to extend the boundaries of the Church; to announce the truths of the Christian Faith," and finally "Be zealous in moulding that nation according to the principles of good morality, and take measures as well on your own part as well as by those whom you may employ, and who by their faith, doctrine, and life shall recommend themselves to your judgment, so that the Church in those parts may be adorned and the religion of the Christian Faith planted and developed." Here, then, I repeat we find the Vicar of Christ ignoring not only the presence of his own Legate, but the very

¹ M'Geoghegan Hist. of Ireland, p. 235.

existence of Christianity in a country which at the time possessed a well-organized hierarchy, and innumerable religious communities. We shall return to these incongruities and incredible exaggerations in the text of the "Bull," when we have taken a glance at the characters of the chief personages whose names have been identified with this transaction.

Henry Plantagenet was another Henry VIII. born before his time, and as such he has had many admirers and apologists. He never cut himself off from the Church, and hence even Catholic writers seem to have been deceived by his nominal Catholicity. But it must be borne in mind that in those days heresy and schism were impolitic and dangerous tastes even in kings, some of whom, according to the maxims of St. Bernard, would have done less harm to the Church if they had thrown off the mask of Catholicity and come out in their true character as heretics.

Our object now is to give the reader some idea of the public and private character of this personage from his youth upwards, and especially at the period when the Sovereign Pontiff is supposed to have intrusted him with so delicate and sacred a mission. In 1152, three years before this time, Henry, then Duke of Normandy, had married Eleanor of Aquitaine, who brought to him as her dowry seven of the richest provinces of France. The previous marriage of Eleanor with Louis VII., king of France, had been declared null by the French Bishops, and this without reference to the Holy See to which such cases were reserved by the Canon Law; but such was her shameless profligacy, that the chivalrous French king was glad to get rid of her even at the loss of the best part of his kingdom. Six weeks after the separation Henry, then only nineteen years of age, married the outcast queen, having been, as it was said, in collusion with her, and directing her in the affair of the separation.¹ As we proceed we shall find, on the authority of St. Thomas of Canterbury, that the dispositions of the young and powerful Duke of Normandy had already aroused grave apprehensions at the court of Rome, and the suspicions of Henry's foul play fit in with the character of one of whom, later on, Cardinal Vivian, the Roman Legate, said: "Never did I witness this man's equal in lying," while the king of France

¹ Rohrbacher, vol. xxvi. p. 45. Martin, *Hist. de France*, v, III, p. 462.

declared to Henry's ambassadors that "their master was so full of fraud and deceit that it was impossible to keep faith with him."³

There is something revolting in the process of digging up and gibbeting one so long dead and buried, and if Henry's crimes and frauds were also dead and buried, it might be our duty to draw a veil over them; but when we find that his duplicity and evil deeds are perpetuated in their consequences, then charity to many calls for justice upon one, even though his frauds had done no more than pollute the fountains of Christian history, which is the family history of the civilized world.

The most damning evidence against Henry is to be found in the Epistles of St. Thomas of Canterbury. The saint had known the king from his youth. Roger of Pontigny, a contemporary, gives the following account of the reasons which in the first instance induced Archbishop Theobald, the English Primate, to introduce St. Thomas to the young king:—

"At that time, to wit, the year eleven hundred and fifty-four from the Incarnation of the Lord, when Henry, the son of Geoffrey, Count of Anjou, and of Matilda the Empress, succeeded to his ancestral kingdom, many disturbances, and a great thirst for novelties arose in England, and no slight fear took hold of the Church of that country, as well because of the suspicious age of the king, as from the notorious malignity of his family in their dealings with the rights of ecclesiastical liberty. Not without cause indeed, as the end made manifest. Now, the Archbishop of Canterbury, anxious about the present, and fearing for the future, reflected how he might counteract those impending evils which he dreaded, and it seemed to him that peace and tranquillity might be secured for the English Church if Thomas could obtain a place amongst the advisers of the king." John of Salisbury, also a contemporary, in his '*Life of St. Thomas*,' gives identically the same account of Henry's character at this period. 'He (Archbishop Theobald) suspected the youth of the king, while he dreaded the evil effects of the folly and malice of the young and depraved men who were apparently his councillors.' William of Canterbury, also probably a contemporary, writes in the same style, and describes the 'malice of the king's designs' at the very outset of his reign, as well as the boldness of his ministers in 'conspiring to strip the Church of her possessions.'"

It is well-known that Archbishop Theobald succeeded in his wise designs; but the "peace and tranquillity" which

³ Lingard, *Hist. of Eng.* vol. ii., p. 106 (*n*).

he hoped for were only obtained when the voice of the martyr's blood ascended to heaven.

Henry made St. Thomas Chancellor of England in 1155, the first year of his reign, which began in the December of 1154. No one was more intimate with Henry or knew him better, and in 1168, when in exile, St. Thomas wrote to Pope Alexander III., the touching letter which begins, "O my father, my soul is in bitterness." It is quite clear from this document that the Archbishop was no match for the king in diplomacy; but the point which concerns our argument is the evidence it affords that Henry's precocious ambition, and lawless erastianism were well-known in Rome even before he ascended the English throne. The opponents of St. Thomas asserted that the king's policy was inspired by a mere personal hatred of the Archbishop. "From the very first day of his accession to power," answers the saint, "he has stretched out his hand against the liberties of the Church, as if they were his own hereditary right. Was I Archbishop when his father barred his dominions against the Nuncios of the blessed Eugenius? Was I Archbishop when Gregory, Cardinal Deacon of St. Angelo, foreseeing the tyranny of this man, persuaded the Lord Eugenius to forbid the coronation of Eustace, the son of King Stephen, saying that it was easier to hold a ram by the horns than a lion by the tail? You know this history."

There is another sentence in this letter which suggests an argument against the "Bull," which, as far as I know, has not been noticed. The legal acuteness and subtlety of Henry's mind was well understood by the saint, and, with apostolic boldness, he warns the Pope that concessions made to the king would certainly be used as precedents.¹ Now, the supposed Bull of Adrian IV. invested Henry with those very powers over the Church in Ireland for which he was contending in England; it is not likely, therefore, that he would have neglected so striking a precedent, if, as is said, he had the "Bull" in his keeping during the many years of his contest with St. Thomas.

Our next step leads us to consider the character of the

¹ "They hold in their hands a copy of your dispensation, and there can be no doubt that it will be used as a precedent, and converted into a privilege, as well by his successors as by himself, unless you at once retract it." Vitae, et Epist. S. Thomae, Migne, Patrol. vol. exc., pp. 61, 197, 233, 467.

Pope who is supposed to have sent so very questionable an agent to reform the Irish Church.

There are some who gravely argue, that as Adrian IV. was an Anglo-Saxon, it was natural that he should desire to see the Church in Ireland governed according to the principles in vogue in England under the Normans. The real truth, however, is that humanly speaking, the Pope's nationality is one of the strongest arguments against such a supposition. Adrian came of a patient and gentle race, and, as Father of all Christians, the Normans in England were his children; but in his case, the history of his miserable country, lit up by his own personal experience, must have taught him that a rapacious and lawless Norman king was the last man in Europe in whom the Vicar of Christ could repose confidence, and Pope Adrian had had better opportunities even than Roger of Pontigny for observing the "notorious malignity" of Henry and his race in their dealings with the Church.

The term "Saxon," as applied to the invaders by Irish writers, is one of those traditional perversions of language which does so much in perpetuating historical delusions. The men who came over with Strongbow and Henry II., were the conquerors of the Anglo-Saxon, and their iron-handed despotism weighed far more heavily upon them than upon the Irish; and for proof of this, we need go no further than the life of Pope Adrian himself. England and Ireland were common sufferers, as they had hitherto been united by a bond of friendship almost unparalleled amongst nations. Venerable Bede, the matchless historian of the Anglo-Saxon, gives us a touching record of those kindly relations which continued unbroken until the arrival of the Normans.

As early as the year 664, he writes:—

"Many of the nobility, and of the lower ranks of the English nation, were there (in Ireland) at that time, who in the days of the Bishops Finan and Colman, forsaking their native island, retired thither, either for the sake of Divine studies, or of a more continent life; and some of them presently devoted themselves to a monastical life, others chose rather to apply themselves to study, going about from one master's cell to another. The Scots (Irish) willingly received them all, and took care to supply them with food, as also to furnish them with books to read, and their teaching gratis."¹

¹ Ecclesiastical History, B. III., c. 27. Ed. Giles.

St. Aldhelm, who died 709, says that the English went to Ireland "numerous as bees." In the next century the English Alcuin came to study in Ireland, perhaps in that "Saxon Quarter" at Armagh, whose name remained as evidence of centuries of hospitality;¹ and when the Danes brought desolation on the altars and homes of both countries, the common sorrow had become another bond of union. It is true that at the time of the Norman invasion, Ireland was full of English slaves. Henry II. is said to have made their liberation one of his pretexts for entering Ireland, and in 1171, the Council of Armagh ordered them to be set at liberty; but the unhappy English knew well that it was the sellers rather than the buyers who were responsible for this enormity.

Nicholas Breakspeare was the son of a servant attached to the Abbey of St. Alban's, or according to another account, of a beggar who lived on the alms distributed at the gates of the Abbey. His name, a compound of two Saxon words,² as well as his condition, reveals his race. His father was subsequently received as a member of the community, while his son continued to subsist on the charity of the religious, in fact he was evidently of the class known in Ireland as "poor scholars." We are told that his father was indignant, and reproached him with his cowardice. From this it would seem that he wished his son to adopt the military profession. Nicholas, however, was reluctant to do so, but it is plain from the history of his life that it was not courage which was wanting. Military service in England at that time was not likely to suit the tastes of young Breakspeare. There was little to choose between the service of the king and that of the nobles, who in Stephen's reign had raised and fortified as many as one hundred and twenty-six castles in different parts of England. From the Norman Conquest 1067, to the death of Stephen 1154, the ancient race in England were ground down by tyranny almost unexampled in history; and if in the reign of Henry II. the people began to lift their heads under the leadership of St. Thomas, it was mainly owing to the moral dignity with which the Anglo-Saxon was invested when in the person of Adrian IV. one of

¹ The Age of Christ, 1155. Maelmuire Mac Gillachidrain, Airchinneach (prefect) of the Fort of the Guests of Christ at Ard-Macha.—*Annals of the Four Masters.*

² The name Breakspeare is a compound of the two Saxon words *breccar-spere*. See Johnson.

his despised race became Vicar of Christ and Arbiter of Europe. The following are some of Lingard's expressions in his history of the period:—"William Rufus had degraded the dignities of the Church by prostituting them to the highest bidder," and the work was continued by the "royal rapacity" of Henry I. As might be expected when the Church was enslaved the poor found no protection. "God knows," says Eadmer, the Saxon Chronicler, quoted by Lingard, "how unjustly this miserable people is dealt with. First, they are deprived of their property, and then they are put to death. If a man possesses anything it is taken from him: if he has nothing he is left to perish by famine." Under Stephen, the immediate predecessor of Henry II., things were still worse. "Never did England, since the invasion of the Danes, present such a scene of misery. The abbeys were converted into castles . . . the cruelty of these *barbarians* brought its own punishment. By the flight of the husbandmen from the neighbourhood of the castles the lands were left barren . . . the fugitives usually retired to some of the ecclesiastical establishments, where they built their miserable hovels against the walls of the Church, and begged a scanty pittance from the charity of the clergy or monks."¹ The *Anglo-Saxon Chronicle*, published by Giles, with Venerable Bede's History, gives even a more appalling picture:—

"Men and women they (the Barons) put in prison for their gold and silver, and tortured them with pains unspeakable, for never were any martyrs tormented as these were. They hung some up by their feet, and smoked them with foul smoke; some by their thumbs or by the head, and they hung burning things on their feet. They put a knotted string about their heads and twisted it till it went into the brain."

Then there was the "Cruchet-house" for pounding men into jelly, and the "Sachenteges" or gallows for living victims. The same writer adds:—

"The bishops and clergy were ever cursing them, but this to them was nothing, for they were all accursed, and forsworn, and reprobate."²

It is not wonderful that as an Englishman, a scholar, and a christian, Nicholas Breakspeare should have shrunk

¹ Hist. of England, vol. ii., pp. 6, 16, 40, 95. We shall have to revert to the meaning of *barbarian*, as used by Lingard.

² Page 502 to 504.

from the service of such masters, so he left his native country to look for work in other lands. We next hear of him as a servant in the employment of the Canons Regular of the Monastery of Saint-Ruf near Avignon, then as a Religious, and, finally, Superior of the Monastery. The chronology of this period of his life can only be a matter of conjecture. He was Superior in the first years of the Pontificate of Eugenius III. (1145 to 1153), and it is probable that it was before his election, when he was a simple religious, that he attended the lectures of Marianus, a celebrated Irish scholar, who was Professor of the Liberal Arts in Paris. The Canons of Saint-Ruf may have been good men; but they were not prepared to scale the rugged heights of perfection, to the ascent of which their new Superior invited them, and, so strong was the opposition that at length they carried their complaints to Pope Eugenius. The Pontiff was much struck with the wisdom and modesty of Breakspeare, and perceiving that the fault lay with the Religious, he persuaded them to submit, and sent them back in peace. Again, the rebellion broke out, and a second time they appealed to the Pope, who gave judgment in the following words:—

“I perceive where the throne of Satan is set up, and whence the storm comes. So vile a flock shall no longer possess so great a man. Go, and chose a father with whom you can live at ease; this man shall not trouble you any more.”¹

And on the spot the Pope created him Cardinal, and nominated him to the Bishopric of Albano. Baronius adds, that the appointment was made with the unanimous consent of the Bishops then in Rome.² As the reign of Eugenius only lasted eight years, we must place the elevation of Nicholas Breakspeare to the Cardinalate early in this Pontificate to give time for the great works which he accomplished, and for the world-wide reputation which he acquired. We hear of him as Legate in Norway and the neighbouring countries, where “he diligently instructed the people in the Christian faith,”³ with such success, as to merit the title of “Apostle of Norway and Denmark.” These events are recorded by all his biographers, but there must have been other reasons nearer home to account for the universal love and veneration of the Court and people of Rome, which led to his elevation to the Papacy. We may

¹ Ciaconus. Hist. Rom. Pont. I., p. 1057.

² Baronius Annal, A.D. 1154.5.

³ Baronius, *loc. cit.*

also take it for granted, that he was weighed in the balance by St. Bernard, whose inspired wisdom was still the guide of his spiritual son, Pope Eugenius.¹ The ancient writer, quoted by Baronius, tells us that the cardinals and bishops assembled in St. Peter's were unanimous in the election of Adrian IV., he himself being the only one who resisted, and that the people broke out into shouts of joy at the announcement. He adds that Adrian was a man of great tenderness of heart, meek and patient, eloquent, a cheerful and generous giver, and distinguished by a singular majesty of demeanour. These qualities were all that were necessary to endear him to the people; but it is plain from the many letters of this Pontiff, which are preserved, that he had other gifts even more necessary in the wild and lawless age in which he was called to rule the Church. That "vehement spirit which rebukes and thunders," which St. Bernard salutes in Eugenius IV., is found, if possible intensified, in the disciple and minister, whom from the first Eugenius had recognised as one of that race of giants to which he himself belonged. Frederick of Germany, and William of Sicily, were doomed to experience emotions similar to those of the religious of St. Ruf, on Adrian's first administration of the rod of spiritual empire. The Emperor seeks to evade the ancient custom which obliged him to serve as the Pope's equerry, and hold his stirrup, and Adrian refuses him the kiss of peace until the homage has been paid in the presence of the assembled chivalry of Germany. In those days all men understood that the contest lay between the representatives of moral and brute force, and the friendless and the oppressed of every nation had a share in the triumph of the spiritual power over the master of seventy thousand lances. Frederick attempts to force the bishops in his dominions to take the feudal oath, whereupon Adrian sends him a comminatory letter; "We have learned," he writes, "from the mouth of truth itself that whosoever exalteth himself shall be humbled . . . What shall we say of that fidelity which you have promised and sworn to the Blessed Peter and to us? How have you observed it? Seeing that you demand the homage of bishops who are gods and sons of the Most High." (*Ps.* 81.)²

It is remarkable that the Bulls of Adrian IV., preserved

¹ *Amor dominum nescit agnoscat filium et in intulis.* De Consid. Prolog.

² Baronius An. 1159.

in the Bullarium, are chiefly concerned with the defence of the ecclesiastical privileges, and possessions of monasteries, against the encroachments of the civil power, so frequent in those days. It seems to have been the work which above all others he had at heart, as was natural in one who could look back to the day when he himself was numbered amongst the starving multitude which owed life itself to the protection and charity of the monks of St. Albans.

Our next step leads us to investigate the grounds of the accusation that Ireland in the twelfth century had lapsed into barbarism, and had so far lost her place in the Christian commonwealth that the Pope was in a way compelled to come to her rescue. The process by which this indictment has been put together is simple, and well calculated, at first sight, to produce a vivid impression. The history of the period has been submitted to a process of distillation, and with the historical sediment a sort of Newgate Calendar of middle-age Irish history has been elaborated, in some such way as Ireland's history of to-day is extracted from "murder-trials." Writers who run their eyes over the meagre entries of one of the ancient annals of Ireland, and then tell us that they have mastered the then social condition of the country, remind one of Sydney Smith's French Juris-consult who was sent over to England to acquire knowledge of its criminal law, and "who declared himself thoroughly informed upon the subject after remaining precisely two and thirty minutes in the Old Bailey." No modern writer saw deeper into Irish history than Professor O'Curry. He possessed at once that knowledge of the ancient history of Ireland, and that genius which enabled him to live in the past and converse with the dead, as intimately as Cardinal Newman communes with Athanasius and Augustine. Again and again the great Celtic scholar warns the student that the annals of ancient Ireland are a skeleton without flesh and blood, and we may add, that they are a skeleton whose bones are both broken and scattered. He tells us that the history of Pagan Ireland will never be understood until those bones are put together, and clothed with flesh and blood, taken from the immense collection of materials supplied by the historic tales and poems, and the records of her laws, manners, and customs. The history of Christian Ireland imperatively demands a similar treatment. Although literature was vigorously cultivated in Ireland down to the time of the

Norman incursion, we cannot say much for Irish historians. The speculative, and at the same time impetuous Celtic spirit had little in it of that meditative character so necessary for the historian, which distinguishes the Venerable Bede. As, therefore, we enter into the spirit of Pagan times with the aid of the Bards, so we must supplement the annals of Christian Ireland with matter drawn from the lives and writings of the Saints, who during the long ages of faith were the chief representatives of all that was pure and exalted in the life and aspirations of Christian nations. This process of historical illumination has been going on for some time in England, where the political obscurity of Catholicity shelters it from the outrages of bigotry, and the heroism and purity of characters like St. Thomas of Canterbury and Mary Stuart, now adorns the pages of unsectarian Protestants of the school of Hurrell Froude, and Agnes Strickland.

We have seen how much light is thrown upon the English side of our subject by a glance at the private life of Adrian IV., and the relations of St. Thomas with Henry Plantagenet: we shall now attempt a similar process of illustration in the case of Ireland. No one denies that blood ran freely in Ireland in the twelfth century. It is hard to form an estimate of the importance of the battles which were so frequent; but it may well be questioned whether the effects of these conflicts on the population of the country was as ruinous as the process of cruel extermination which is recorded by Saxon chroniclers. Moreover, if we substitute knights and barons, for princes and chieftains, we shall find that the same freedom of private warfare was the rule everywhere in Europe. At the same time, in no other country was the religious character so sacred, and the utterances of ecclesiastics so free as in Ireland. In Pagan times the rights of sanctuary had been carried to an unparalleled extent, and the Church entered into possession of this ancient usage; so that while chieftains fought at the gates of the monasteries the monks were quietly writing their reports. Before the Danish invasion, Irish wars did not touch sacred persons.¹ There is little doubt that we should have heard of equally distressing scenes in other countries,

¹ O'Curry: "Manners and Customs of Ancient Irish," I. v. clv. Also "Ancient Church of Ireland," Dr. Gargan, p. 41.

if the Church was in the enjoyment of a similar freedom. In England one churchman spoke in defiance of the king, and ere long his brains were scattered on the pavement of the sanctuary of his own cathedral.

“Do you pretend not to be aware,” writes St. Thomas, “that the king of England has already usurped, and day by day continues to usurp the possessions of the Church; while he overthrows her liberties, he has stretched forth his hand against the Lord’s anointed; everywhere, and without exception, he has assailed ecclesiastics. Some he has put in prison, others he has slain, or torn out their eyes, or forced to fight in single combat, or to pass through the ordeal of fire or water.”¹

When we enquire what was the state of Ireland, religious and social, in the year 1155, it seems that there ought to be no great difficulty in answering the question. We have the testimony of many contemporary writers, whose dispassionate truthfulness is manifest. But when we compare these writers one with another, or even with themselves, we are met by statements which at first sight appear contradictory. A little consideration will explain the reason. There were two nations in Ireland. The Northmen or Danes were scattered throughout the country. The process of amalgamation of this half heathen population with the native race was slow, and moreover, it was continually interrupted by the arrival of recruits from the teeming human storehouse of the North who imported false doctrines and heathen manners into a country which since St. Patrick’s time had ever identified Catholic faith with its national existence. Ireland has had to bear the shame of these abuses, and her ancient annalists give us very little help in distinguishing how far they were to be attributed to foreign importation. They appear to have been impressed with the same conviction as Dr. Johnson, that “all the colouring, all the philosophy of history is conjecture.” They were content to note the heads of the principal events in each year as they came under their own observation, and however much the student of Irish history may admire their stern simplicity, he cannot help regretting that they did not do more to forestall the conjectures of the historical word-painters and special pleaders of our own times.

It is a curious fact that but for the testimony of foreign

¹ Epist. Ad omnes Cardinales. Migne, vol. exc. p. 489.

ecclesiastical historians we should be almost in the dark regarding the work of Irish Missionaries in the sixth and seventh Centuries. In the Four Masters, from the birth of St. Columba, A.D., 515, to the death of St. Columbanus A.D. 615, we find only two short notices of the former saint, while the latter is altogether passed over. How different would the monotonous narrative read if it were lit up with the names and the bright record of the deeds of those daring soldiers of Christ, whom St. Bernard describes as pouring forth "like a rushing torrent upon distant nations." It is to the same saint also that we owe the description of the Monastery of Bangor in Down, "that place so truly holy and the Mother of Saints, from where, as he tells us, Luanus departed to found a hundred monasteries.¹ This reticence of Irish writers is best explained on the supposition that Irish missionary enterprise was then as much an every-day occurrence as emigration is in our times, and that it passed unnoticed in an age when men were not so prone as they are at present to expatiate on their own heroic deeds. The same silence of unconscious greatness rests upon the origins of the monastic foundations of the period which we are now considering. The traveller who finds his own way amongst the majestic ruins of the many Cistercian Abbeys of Ireland from Mellifont to Kyrie Eleison, and then turns to the annals of the country at the period of these foundations, only to find a few notices of the accessions and deaths of provincial kings, or the battles of county clans, is forced to conclude that the history of Ireland has yet to be written, and that it is from the chronicles and traditions of the various religious orders that the most important information is to be obtained.

W. B. MORRIS.

(To be continued).

¹ Vita St. Malachiæ, cap. iv.

GENERAL CONFESSION.

WHEN theologians affirm that the making of a General Confession is not to be regarded as *necessary* “*nisi habeamus moralem certitudinem praeteritas confessiones invalidas esse,*” they by no means discredit its supreme usefulness “*ut per eam eximantur anxietates, quae animarum paci sunt inimicae, vigorem in bonorum operum exercitio minuant, et praesertim in mortis articulo importunas angustias afferunt.*” “*Non in solo pane vivit homo ;*” and the confessor is, from the composite character of his office, very much more than the cold expounder of a law which his skill in interpretation and jurisprudence may have reduced to the narrowest possible compass. He is in no degree less freighted with the responsibilities of *Pater et Medicus* than with those of *Doctor et Judex*. Hence it frequently happens that, even when a General Confession may not be adjudged necessary “*ut saluti aeternae prospiciatur,*” it may be in practice quite necessary as a solvent of unhealthy remorse, a restorative of spiritual tranquillity, and the commencement of a more perfect life. According to the idea of St. Leonard of Port Maurice, the man who makes a General Confession is like one who puts on a new garment ; for a long time he takes great care not to soil it. “There is no more certain means,” he tells us, “of renewing the interior ; for a good General Confession inspires greater sorrow for past sins and a stronger desire for a better life. To see at one glance all one’s sins massed together, produces in the soul a far different effect from that produced by examining them singly : an army of soldiers, when disbanded, frightens no one ; not so when it is drawn up in order of battle.” Besides, and most especially at the hour of death, the blissful consciousness of Peace with God, which a General Confession has with moral certainty ensured, will fill the soul with a serene and hopeful joy. Confessors justly regard attendance upon the dying as a duty entailing upon themselves most rigorous accountability ; and hence it is hard to measure their relief when they find that the past has been already made good, and the future so far secure, by a careful General Confession. “What a consolation it is for the dying man,” pursues the same Saint, “to have before now healed all his wounds ! If he postpone doing so to the last

extremity, how can he flatter himself that he shall then succeed? To foresee what is coming, and to provide for it before it comes, is the perfection of Christian Prudence."

From whatever motive the General Confession is undertaken—whether because it is rigidly required "*ob invaliditatem confessionum praeteritarum*" or from the broader necessity just indicated—we should strenuously require from our penitents, when making it, all that painstaking care which will enable them to close that portion of the past prudently and irrevocably. In every instance, a General Confession should, in the matter of contrition, be made a final sealing, so that all future doubt as to its perfect validity may be summarily dismissed as groundless. Further: in point of formal integrity, nothing grave should be left untold which an *examen satis diligens*, the patient hearing of the penitent's own narrative, and the interrogations of the confessor can reasonably bring to light—unless in those most rare cases in which a *causa juste excusans* should interpose. Absolutely nothing should be relegated for adjustment to a subsequent review.

If it be objected that theologians generally hold that we may deliberately omit from General Confession—when that confession is not technically necessary—even *peccata gravia, si jam rite submissa sint*, we answer that we are not now concerned with what may or may not be required precisely *ad validitatem sacramenti*, but with what is required *ad sedandas anxietates, ad forendam compunctionem, &c.*; and experience proves that nothing short of the above will be sufficient for these ends. The work must be thorough, or we shall have failed in our duty as *Patres et Medici*. This, however, need not—and should not—prevent us from impressing upon our penitent "*eum deinde sollicitum esse non debere, quod ex oblivione plura seu pauciora omiserit.*"

It follows that on occasions of Missions, &c., in which General Confessions are (and ought to be) the rule, we should not be induced by any *frequentia poenitentium* or *angustia temporis* to permit "dimidiation" even in the sense described; for, if the General Confession be *quovis titulo* necessary or permissible, we are bound to make it complete, and thereby secure for all future time the tranquillity which it is the object of a General Confession to create. Speaking of Missions, it may be no harm to observe that if a man have constantly or fairly attended the "exercises," we may assume that his dispositions as to *dolor et detestatio* are good; and are thus free to devote all our zeal to

securing the integrity of his confession, and formulating with him such a rule of life as will guarantee the due *propositum*. Should we, on the other hand, find that he has practically neglected these exercises, we may regard his appearance now as extremely suspicious: it is either the result of a very special grace (of the pressure of which we must find evidence), or it is a yielding to mere human respect.

After reminding us that a "*Confessio Generalis potest esse vel totius vitae vel alicujus temporis*," theologians proceed to expound when it is "*vere necessaria*," when "*tantum utilis*," and when "*nociva*." They tell us that it is "*vere necessaria quando confessiones praeecedentes poenitentis moraliter certo fuerunt invalidae*," of which something will be said farther on. It is "*utilis, ideoque permitti aut etiam prudenter suaderi potest, quando, spectatis circumstantiis, poenitens notabilem fructum spiritualem ex ea percepturus est—v.g.—ratione humilitatis, devotionis, fervoris, manifestationis conscientiae ad directionem, aut ad majorem animae puritatem*," &c. When it is neither of these, it is almost inevitably "*nociva*" to some one.

To guard against this last we find a number of "*Regulae*" laid down, in greater or less detail, by Layman, De Lugo, La Croix, St. Liguori, St. Charles, St. Leonard, &c., from which we can have little difficulty in inferring that we should hold ourselves generally prepared to recommend—and assist our penitents to make—General Confessions,

- (1) Before First Communion.
- (2) Before selecting, or entering into a new and permanent state of life.
- (3) When they are earnestly and hopefully struggling against some habit of sin. Or, if not during the conflict,
- (4) When the mercy of God has already rescued them from a sinful habit of long standing.
- (5) During periods of special grace, as on the occasion of a Mission or Jubilee.

(6) Towards the closing of life but, if possible, some considerable time before the proximate approach of death.

The man whose last illness is the final stage of a life marked by so many *Truces* with God, may joyfully look forward to its closing moment as the revelation of an Eternal Peace.

This may be the place to observe that theologians most emphatically discountenance the making of a second

General Confession *totius vitæ*; and the experience of every succeeding year will teach us the profound wisdom of this rule. Nor are they less emphatic in requiring that when a "Confessio Generalis alicujus tantum temporis" is permitted, it should commence "ab ultima Confessione Generali"—never going behind it, and *never leaving an interval*. Therein they assume what has been already stated—that all concerned have done what was necessary to render each General Confession, *pro tanto*, a final settlement of the past, so that any defect that may be afterwards discovered, can be prudently traced to *ignorantia invincibilis* or *oblivio inculcata*. Such subsequent discovery involves no obligation that is not satisfied by "submitting to the keys," that is, mentioning for *direct* absolution at next confession, whatever may have been thus inculpably omitted.

But besides these positive rules, theologians are careful to lay down the following negative ones, which are by no means less important:

(1) "Potissimum cavere debent confessarii ne facilius poenitentes ad Confessionem Generalem compellant: et *summopere sunt reprehendendi*, qui ab omnibus novis poenitentibus hanc exigunt, praetextu necessitatis, vel ratione directionis," &c. They tell us that it is our duty to assume, at least for some considerable time, that those "novi poenitentes" of ours have been judiciously treated by our predecessors, "nisi luce clarius sit contrarium." They remind us that that physician is not to be trusted who hastily discredits the prescription of those who have gone before him, inasmuch as it takes time to learn the constitution, habits, &c., of his patient. Experience, "optima rerum magistra," generally proves that we ourselves may, in the long run, be obliged to adopt the line of direction which we had inconsiderately condemned in others. One of our ablest theologians declares that he would not hesitate to relieve of jurisdiction those intuitive reformers.

(2) "Non est permittenda Confessio Generalis etiam in dubio de validitate praecedentium confessionum, ubi ex illa metuenda sunt incommoda notabilia, ratione scrupulorum, perturbationis conscientiae, &c., quia ob dubiam obligationem subeunda non sunt gravia ac certa incommoda."

(3) "NUNQUAM permittenda est Confessio Generalis scrupulosis aut meticulosis;" and Collet pronounces the man to be "vere et mere scrupulosus, qui confessiones ex

vero conversionis desiderio et sincere factas repetere velit, iisque aliquid semper defuisse credat."

(4) St. Leonard, speaking of such persons, lays down the following admirable rule, which all the principles of sound theology sanction, and which, in the absence of any other copy, is reproduced from Gaume's French version:—

"Faites-vous une règle de ne *jamaïs* permettre de confession générale à celui qui (a) en a déjà fait; qui (b) s'est corrigé; qui (c) a joui de la paix de l'âme; et que (d) rien de *particulier* ne constitue dans la mauvaise foi sur ses confessions passées."

We have known some of the most practical and successful directors—men *vere timoratae conscientiae*—whose rule it is, when dealing with penitents even doubtfully scrupulous, to decide against permitting a General Confession, whenever they receive a negative reply to the question: Is there anything in the past that you have ever forgotten or neglected to confess? In this, they are borne out by St. Leonard, who adds:—

"Au reste, le meilleur conseil qu'on puisse donner à tous ces pénitents, c'est de faire souvent des actes de contrition. . . . Mettez-leur bien dans l'esprit cette doctrine de S. Thomas, savoir: que lorsqu'une personne animée d'un vrai désir de se reconcilier avec Dieu, a fait *ce qu'elle a pu* pour faire une bonne confession, et employé tous les moyens d'avoir une vraie contrition et *a cru l'avoir*, en premier lieu, sa confession est exempte de faute; en second lieu, il n'y a nulle obligation de la refaire, il suffit de renouveler sa contrition pour en assurer la valeur. . . . Tout cela doit s'entendre des scrupuleux véritables et craignant Dieu, qui, dans leurs confessions passées, ont agi *avec bon foi*."

It frequently happens that a penitent will, without any suggestion from us, and outside of Missions, &c., express an anxiety to make a General Confession, and that we ourselves may see the desirability of his doing so, when, nevertheless, it will be our duty to oblige him to postpone for a time the making of it. Of the most ordinary of these cases, Collet writes:—

"Si poenitens proprio motu ad Confessionem Generalem admitti postulet, monendus est non esse festinandum in re tanti momenti, sed ante omnia incumbendum esse *plenae conversioni*, *extirpandis pravis habitibus*, *augendae et firmandae bonae voluntati* quam Deus largiri dignatus est. . . .

II. We may state unqualifiedly that theologians and

spiritual writers are unanimous in counselling the making of General Confessions :—

“ 1°. Ut intimam criminum nostrorum cognitionem ac detestationem sentiamus ; 2° ut anteactae vitae ordinem perversum agnoscentes atque abhorrentes emendationi nostrae studeamus ; 3° ut inspectis inimicorum nostrorum pravitate ac fraudibus, ab eis caveamus.” (St. Ignatius.)

With all this, they are equally unanimous in warning us against the perilous practice of insisting upon it where a strict and well-defined necessity does not appear. To exact it, then, would be, they tell us, to provide for our penitents a “jugis anxietatum scatebra,” and to convert this Sacrament of Mercy into a “carnificina animarum.” So strongly indeed do they write on this subject, that the words of St. Leonard, before quoted—“*Faites-vous une règle, &c.*”—seem to express their views of the treatment of penitents without distinction.

Hence they lay down the absolute law: “Confessio non est NECESSARIO repetenda nisi de ejus invaliditate moraliter certo constet.” St. Liguori, having given this law, adds: “Ut recte dicunt Croix, &c., cum communi contra Antoine.”

The reason of this law seems, on reflection, plain and forcible. For taking the case that ordinarily occurs (and we have no present concern about others), we assume (1) that those confessions, about the validity of which doubts have arisen, were made with an honest intention of recovering the friendship of God, and that all the elements of the Sacrament were provided with average care. We assume (2) that, since the making of those possibly invalid confessions, at least one other has been made, about the validity of which, *judged on its own merits*, we have no reason for doubting. The penitent, so circumstanced, is placed in possession of sanctifying grace by his last absolution, and from that possession he cannot be dislodged except (in the case under review) by a deliberate violation of a divine precept requiring him to submit anew, for possibly a second *direct* absolution, those sins for which, it may be, he has received no more than an adventitious pardon. But where is that law? St. Liguori tells us that theologians *communiter* deny the existence of any such law, and with equal unanimity affirm that we may depose all anxiety by applying the axiom: *Standum est pro valore actus*. To say the very least, this practically certain

doctrine places us in invincible ignorance of the existence of the law: we cannot become deliberately guilty of violating it; and we may conclude, with absolute safety, that no such law affects us.

Again, should those doubts that have sprung upon us have reference to the *integrity* of past confessions, we should remember that, as Layman puts it:—

“Diligenter observandum est quod specifica et numerica explicatio omnium peccatorum, per se et directe non pertinet *ad necessitatem sive essentiam sacramenti*, quasi sacramentum Poenitentiae nunquam consistere possit nisi integra omnium mortalium confessio fiat, sicuti post alias notavit Suarez, &c., &c., sed potius spectat *ad necessitatem praecepti divini*.”

In the absence, therefore, of a certainly binding *lex divina*, we have no theological reason for doubting the validity of the Sacrament now being received; and we may feel assured that these supervening doubts carry with them no grounds for anxiety.

Should we fear that our past confessions have not been accompanied with the requisite *dolor* and *propositum*, theologians still tell us that we may have no apprehension: *Standum est, &c.* It is indeed the common teaching that “non sunt repetendae confessiones cum dubia contritione factae.” (Gury, n. 513.) “*Per se* non sunt repetendae confessiones,” even in the case of *Recidivi*, about whose *propositum* such grave doubts may be reasonably entertained. Ballerini thinks it pure Jansenism to doubt it.

All this is expounded in the manifestly well-weighed and weighty words with which St. Charles Borromaeo concludes his “*Monitum Undecimum ad Confessarios* :”—

“Debet interrogare de actis antea confessionibus, in quantum ei necessarium fuerit, ut resciat num poenitens in casum inciderit ex quo confessiones nullae fuerint, et iterandae sint; puta si . . . poenitens ipse *scienter* mortale aliquod peccatum omiserit, aut confessionem ita diviserit ut aliam uni confessario peccatorum partem et alteri partem aliam declaraverit; aut sine *ullo* peccatorum dolore, et emendandi proposito accesserit, aut pro excutiendis invenientisque peccatis *nullam* diligentiam adhibuerit. Et quia plerique in confessione debite faciendam negligentius se gerunt, ii potissimum qui nullum vel levem Dei timorem habent nec ullam propriae salutis curam, ita ut potius aliquo ex usu quam ex peccatorum horrore et vitam emendandi desiderio confiteantur; et quia communiter *utilitas maxima* ex confessionibus generalibus oritur,

maxime conversionis meliorisque frugis initio; *debent* confessarii debitis loco et tempore, juxta personarum qualitatem, ad confessionem generalem poenitentes *exhortari*, ut ejus ope in memoriam revocatis totius vitae actionibus, ardentius ad Deum convertantur, et pro omnibus defectibus quos in praeteritis confessionibus agnoverint, satisfaciant."

C. J. M.

SAINT COLGA OF KILCOLGAN.

NOT far from the armlet of Galway Bay, up which Lugad Mac Con with his fleet of foreigners, sailed in the year 250—some say 224—stands the village of Kilcolgan. It is in truth a deserted village now. The circumstances which lent it some distinction, are long since forgotten. Its chief interest for us at the present day is borrowed from the ruins among which it stands; and from such fragments of their history as have come down to us in the pages of our ancient records. St. Assournida's Church is in the immediate vicinity, and there, too, are the Churches of Foila, and of her holy brother Colga. The river which guided O'Donnell in the sixteenth century in his predatory excursion from Athenry to Mairee, flows by, as abundant in its supplies of trout and salmon as when St. Enda blessed its waters about a thousand years before.

But our annalists give no notice of Kilcolgan till long after the period when Mac-Con and his foreigners won the crown of Ireland on the adjoining plains of Moyveala. Later on, however, there is a far larger number of references to its history than its present insignificance would lead us to expect. In 1258 it was a town of some importance in the territory of Owen O'Heyne, Prince of Hy-Fiachrach Aidhne. In one of those struggles for the sovereignty of Connaught, between the sons of Roderick O'Connor and those of Cathal Crovedearg, which disgraced the history of the period, we find that Kilcolgan was burned to the ground "with many other street towns." The proximity of Kilcolgan to the residence of Clanricarde gained for it an undesirable notoriety in the years 1598-99-1600 in connection with the raids made by the Northern Princes on the territories of Clanricarde and Thomond. In 1598 O'Donnell pitched his camp at "its gates"; and it was

from there he sent his men to plunder the surrounding districts, and carried back with him to Ballymote "immense spoils" and "heavy herds."

But the facts which invest this unknown village with its chief interest are of quite a different kind. They are connected with the Church and Monastery which have given it its name. The death of one of the Erenachs of the monastery in the twelfth century is recorded by our annalists: "1132, Concaile Ua Finn Airhineach of Cill Colgan died."

Colga, whose name was given to the village which sprang up close to his monastery, was son of Aidus Draigniche, of the race of Hy-Frachrach, and great grandson of Dathy. His mother's name was Cuilena. She, too, was of princely birth; and we know, on the authority of our Irish calendars, that Foila, her daughter, with two other of her sons, Aidus and Sorar, ranked amongst the saints of Erin.

Our saint, therefore, can easily be distinguished from St. Colga, "the Wise," who from his great learning was called "the Scribe and Doctor of all the Irish." A prayer of his full of beautiful and glowing imagery, which is fortunately extant, and is referred to by O'Curry, illustrates to some extent his claim to this flattering title. He was professor at Clonmacnoise A.D. 789, and was not, as we shall see, therefore, even a contemporary of our saint. By parentage and descent they can also be easily distinguished, as Colga of Clonmacnoise was known as Colga Ua Duinechda.

In addition to this, Lanigan is very explicit regarding our saint. He tells us that he governed a church and perhaps a monastery at Kilcolgan, called from his name, in the diocese of Kilmacduagh, barony of Dunkellin, and County of Galway. This Kilcolgan is therefore not to be confounded with places of the same name in Clonfert and Cochlan's country in the Queen's County. Colgan supports the same opinion, and states that Colga was Abbot of the Church of Kilcolgan, in the diocese of Kilmacduagh. Those opinions of Lanigan and Colgan are also supported by Dr. Reeves in his annotations to Adamnan's life of St. Columba. The learned commentator thus writes:¹—
'From Colga, the Parish Church of Kilcolgan; and from his sister Foilena, the adjoining Parish of Kileely, both in

¹ Reeves' Adamnan, p. 46.

the diocese of Kilmacduagh, which was co-extensive with the civil territory of Hy-Tiacragh Ardne, derive their names respectively."

Though we cannot fix the exact date of St. Colga's birth, we have no hesitation in saying it may be referred to the early part of the sixth century. The character of his early education may be inferred from the fact that he made himself a disciple of St. Columba, one of the most austere of the masters of religious life in Western Europe. St. Columba had then established himself at Iona far away from his native country. In its chilling atmosphere and unproductive soil there was nothing to attract the Irish from the fertile fields and genial climate of their native land.

Yet a life of exalted sanctity and of strict religious observance which illustrated the supernatural power of our holy religion, possessed attractions for Irish hearts in those days, which they prized beyond all other considerations. It was so with Colga, son of Draigneche. True, indeed, his native land was then in literal fact an "Island of Saints." And Aranmore, cradled in the bosom of the bay, with the shores of which he was familiar from infancy, was amongst the most famous schools of sanctity then known to Ireland. It was in the poet's words, "The Sun of all the West." But as Colga knew that the fame of Columba had even surpassed that of Enda, and that the light of his sanctity flashed far beyond the gloom of the Hebrides, he resolved to brave the perils of the ocean, and perfect himself in the science of the saints at the knees of the holy Prince of Hy Nial. During his stay at Iona we find him honoured by special mention by Columba's holy biographer. I am aware, indeed, that Lanigan endeavours to show that the Colga mentioned by Adamnan is not identical with our saint. He does so, however, contrary to his custom, without advancing any argument whatever. Colga is expressly mentioned by Adamnan as the son of Draigneche, and of the race of Fiachragh. Apart altogether from the authority of the writers already quoted, this fact alone would clearly establish his identity with St. Colga of Kilcolgan.

The writer speaks of the heavenly favours with which the closing years of Columba's life were blessed. He was frequently surrounded with a supernatural light too brilliant for mortal eyes to gaze upon. Of one of those visions St. Colga found himself the privileged witness.

We will allow the simple but graphic words of St. Adamnan to give the reader a knowledge of the event. "Another night also one of the brothers whose name was Colgius, the son of Aedh Draicnighe, a descendant of Feehreg (Fiachragh), mentioned in the first book, came accidentally while the other brothers were asleep to the gate of the Church, and stood there praying for some time. Then suddenly he saw the whole church filled with a heavenly light which flashed like lightning across his eyes. He did not know that St. Columba was praying at the time in the church; and after this sudden appearance of light he returned home in great alarm. On the following day the Saint called him aside, and rebuked him severely, saying, 'Take care, my child, not to pry too closely into the nature of that heavenly light. That privilege is not given to you; and beware how you tell any one what you saw during my life time.'

No doubt the narrative of manifestations such as that just mentioned, may be regarded as incredible by many of the sceptical of our time; and Montalambert, when referring to it, points, perhaps, unnecessarily "to the proverbial credulity of the Celtic nations" regarding the legends of their saints. But he takes care to state "that no Christian will be tempted to deny the verified narratives which bear witness in Columba's case to supernatural appearances which enriched his life, and especially his old age." And we are assured on such authority as Montalambert himself seems to regard as satisfactory, that he was frequently surrounded with a supernatural light more brilliant than any of which ordinary mortals have experience. St. Colga was one of many privileged witnesses.

Before finally quitting Iona, St. Colga returned to Ireland at Columba's special command. The mission with which he was entrusted was of a particularly delicate nature, and seems to indicate the esteem in which he was held by the Patriarch of Iona. The object of his mission was, indeed, the conversion of his own mother. I may be excused for reproducing the narrative here from what has been with authority styled the oldest biography in Europe:—"This Colga, residing one time in the island of Iona, was asked by the Saint whether his mother was religious or not. Colga, answering him, said that he had always known his mother to be good, and to have that character." The Saint then spoke the following prophetic words:—"Quickly now return to Ireland, and interrogate your

mother closely regarding her very grievous secret sin which she does not wish to confess to any man."

Colga returned to Ireland on his singular mission, which proved by the result, the supernatural character of the wisdom of his master and guide. Great, indeed, must have been the mother's surprise when he disclosed to her the object of his visit. At first she denied her guilt, but at length, gratefully recognising the merciful intervention of Providence in her favour, she confessed her sin, and doing penance according to the judgment of the Saint, was absolved, wondering very much at what had been revealed to the Saint regarding her.

There can be little doubt his mother's guilt must have been of a grave character, entailing danger of the most serious kind to her salvation. An inquiry into its character might appear undesirable as well as unprofitable. But as it has been instituted by others, I may be excused for inviting my readers' attention for a moment to the result.

Dr. Reeves connects her guilt with her sojourn in the Palace at Cashel, where in her youth, she was the guest of King Failbe Fland, and he supports his opinion by the following extract from a tract of Angus—"De Matribus Sanctorum Hiberniae":—"Cuilein, the mother of Colga the Chaste, was received in Magh Ullen for a time by Failbe Fland without charge of guilt; she went to Cashel, staying,—"

If, however, the seductions of the court of the King of Cashel led Cuilenas' young heart away from God, there can be little doubt that she made ample reparation for her sin by the performance of such penance as the "judgment" of the saint required. And even a slight knowledge of the character of our penitentials will show that these penances must have been excessively severe.

Before finally quitting Iona, St. Colga asked his holy master to disclose to him some things regarding his own future; for the spirit of prophecy was but one of the many gifts with which the Holy Ghost enriched St. Columba's favoured soul. In reply, he was assured that he was destined to preside over a Church in his own country. That country was, as we have seen, the territory of the Southern Hy Fiacragh, co-extensive with the diocese of Kilmacduagh: "In your own country, which you love, you shall be head of a certain Church for many years." The circumstances which were to indicate the immediate approach of his death were also pointed out to him;

though these were under other respects of an unimportant and trivial character: "And when at length you shall see your butler playing for a company of friends at supper, and twisting the tap in a circle round his neck, know that you shall soon die." "This same prophecy of the holy man," adds Adamnan, "was exactly fulfilled as it was foretold to Colga."

It is, I think, by no means easy to understand the meaning of the signs which the Abbot of Iona foretold should indicate the immediate approach of St. Colga's death. Commentators admit the obscurity of the original passage in Adamnan; but Dr. Reeves correctly attributes much of the obscurity to our imperfect knowledge of the domestic customs, &c., of our countrymen at that early period. He offers the following as a plausible rendering of the passage: "When you see your brother making merry in a supper of his friends, and twisting the ladle round in the strainer, know that you shall soon die." And he adds: "The difficulty" of understanding the passage "arises from an imperfect knowledge concerning the domestic relations of the early nations." I believe that few will question the plausibility of this opinion.

St. Colga did return to Ireland, and selected as a site for his monastery that portion of the lands of the tribe of which he was a distinguished member, which overlooks the more inland portions of the Bay of Galway. The sea breezes would be borne freshly to his monastery over those picturesque and wooded undulations which are now known as "Tyrone;" a designation which conceals under a very transparent disguise the ancient name of the locality. Tir-Owen should mean the country of "Owen O'Heyne," Prince of the district. And just beyond the estuary on which his convent stood, was the "Eisger" highway extending from Mairee to Dublin, which divided the kingdom of Con from that of his brother and rival Eoghan More. Nor was it unnatural that the site which St. Colga should select for his monastery would be close to the Church with which the name and fame of his holy sister Foila was to be inseparably associated. The Church of St. Foila stands in the immediate vicinity of Kilcolgan, and in its present neglected condition gives no indication of the reverence with which it was regarded as a sacred shrine to which the pious Faithful thronged even as late as two centuries ago.

At about an equal distance on the opposite side stood

the church of St. Assournida. Nor is there an inherent improbability in the opinion that the church of St. Hugh, in the adjoining parish, was that of his brother St. Aidus.

There can be no doubt that St. Colga erected not merely a church but also a monastery at Kilcolgan. Being "head of a certain Church," could simply mean that he ruled a community in connection with that Church; and this, we are assured, was a position which he occupied "per multos annos." Besides, we find he is expressly styled Abbot of Kilcolgan by the learned author of the "*Aeta Sanctorum Hibernia*."

It is not easy to ascertain with certainty the exact site of St. Colga's Church and Monastery. I have little doubt, however, that the difficulty arises from the fact that its site is occupied by a dismantled Protestant church. It stood within the grounds of the late E. St. George, of Tyrone, Esq., about half a mile south of the present village of Kilcolgan. The approach is by a splendid avenue of ancient trees. A close inspection of this modern though ruined structure, enables one to see that a great portion of the eastern gable is very ancient. Carved mullions and fragments of tracery may be discovered in the most incongruous positions beneath the mortar of the modern masonry. The moss-grown mounds around reveal on examination masses of ruins, and here and there a gravestone, beneath which the dead are at rest for centuries. All these facts indicate the original character of the place. Local traditions confirm those impressions, and tell us how a family that abandoned the faith of their fathers sought to destroy every vestige of this sacred memorial of a glorious past. The unenlightened bigotry which such an effort reveals has fortunately failed in its purpose; and the unsightly ruin by which the spot is desecrated shall be remembered only as a satirical memorial of the failure.

The site was a pleasing one. Even before the extensive plantings around the adjoining mansions of Kilcornan and Tyrone brough the scenery there into harmony with the tastes of our time, the general features of the landscape were attractive. But how unlike St. Colga's late home at Iona. Here, indeed, was the "dark blue" of the ocean; but within the arms of those sheltering bays its hoarse murmurs were hushed to rest; and the foam of the broken billows no longer flecked his cowl as he recalled by the Mairee shore the lessons which Columba taught him by the surf-beaten cliffs of Iona.

The history of the fruitful years which St. Colga spent as "Head of the Church in his country which he loved" is unfortunately lost to us. The date of his death we do not even know with certainty. There can, however, be little doubt that it was of the sixth, or at the beginning of the seventh century. Though some would fix his feast for the 20th February, we do not think that the authority of our Martyrologies can be fairly cited in favour of such an opinion.

J. A. FAHEY.

MISSA DE REQUIEM.

CONNECTED with the subject of the Requiem Mass is a number of questions, the discussion of which in English might prove not uninteresting to some readers of the RECORD. In the present paper, we intend to consider, as fully as the limited space at our disposal will permit, two of these questions, viz.: (a) What is the difference in point of efficacy between a Requiem Mass and a Mass of the Day, when each is offered for the souls in purgatory? (b) What are the nature and extent of that efficacy in their regard? Those who may desire a more complete theological treatment of the efficacy of the Mass than that involved in the answers to the questions proposed have only to recur to former numbers¹ of the RECORD, where the subject is so fully treated by Very Rev. W. J. Walsh, D.D.

Theologians agree in teaching, that there is no *substantial* difference as to efficacy between a Requiem Mass and an ordinary Mass of the Day, when both are applied to the relief of the souls in purgatory; for in each case we have the same Adorable Victim, the same Great High Priest officiating, the same ministerial functions exercised in the oblation of the Sacrifice, and offered, as is supposed, for the same ends. Though, as is thus clear, the two kinds of Mass are substantially identical, they admit an *accidental* difference arising entirely from the nature of the prayers peculiar to each. In the Requiem Mass we have special prayers for the dead, which are not found in Masses of the

¹ See I. E. RECORD (Third Series), vol. 3, No. 12; vol. 4, No. 4; vol. 4, No. 8.

living. These prayers are approved by the Church and said in her name, and, consequently, as the prayers of Christ's well-beloved Spouse they have for the purpose, for which they are offered, an efficacy that is independent of the spiritual condition of the minister, and are necessarily acceptable to Almighty God. They can have an additional efficacy for the dead derivable from the devotion with which they are recited by the priest; but this latter efficacy, depending on an uncertain condition, viz., the sanctity of the minister, must of necessity be a variable quantity: in some cases it may be very considerable, while in others it may be inconsiderable, or entirely disappear. It is true, no doubt, that the prayers of each kind of Mass are approved by the Church, and have, therefore, an efficacy that is independent of the piety of the minister, but the prayers used in Masses of the living, as far as they differ from Requiem Masses, are not applied to the souls in purgatory in the name of the Church, but are offered for some other distinct purpose, as intimated by the words in which they are expressed. Hence it follows, that Requiem Masses have for the dead a peculiar accidental efficacy, not attached to Masses of the living when offered for the same end. This view of the relative efficacy of the Requiem Mass and Mass of the living is clearly expressed in the following words of St. Thomas: "*Ex parte sacrificii missa aequaliter prodest defuncto de quocumque dicatur: ex parte tamen orationum magis prodest illa in qua sunt orationes ad hoc determinatae.*" The peculiar accidental efficacy, which a Requiem Mass possesses for the relief of the dead, must of necessity be small, as compared to the substantial efficacy which it has in common with a Mass of the living; still viewed by itself, this special efficacy may be considerable, and of great assistance to the poor souls in purgatory.

From this consideration it follows, that when we have to say Mass for deceased persons, it would in all cases be desirable to say the suitable Requiem Mass, when such is permitted by the Rubrics. As to the cases in which there is an obligation of doing so, very little room for doubt or difference of opinion can exist, as we have on the matter a number of authoritative decisions from which they can be easily inferred. The first of these to which I will refer is one emanating from Alexander VII., Aug. 5th, 1662, which we find printed at the beginning of the Roman Missal, and in which it is declared that on doubles and on other occasions,

when a private Requiem Mass is prohibited by the Rubrics, a priest, who is bound to say Mass for a deceased person, satisfies his obligation by saying the Mass of the day. This decision, as is clear from the words in which it is conveyed, covers two cases, viz., (a) that in which the kind of Mass to be said is not specified, and about which, therefore, there can plainly be no difficulty, and (b) that, in which a Requiem Mass is distinctly requested and promised. In this latter case, though there might be *per se* an obligation of saying the promised Requiem Mass, and consequently, of waiting till it should be permitted by the Rubrics, that obligation is declared by Alexander VII. not to exist. In issuing the decree referred to, the Supreme Pontiff acted either as Supreme Legislator; dispensing, in the plenitude of his power, or, perhaps to speak more accurately, as Doctor of the Universal Church interpreting with authority the presumed pious intentions of those who solicited the Requiem Mass. Such an interpretation would be but fair and reasonable, for, on the one hand, it may be assumed that no good Catholic is willing to have the Rubrics of the Church violated by the celebration of a special kind of Mass on occasions when such is not permitted; while, on the other, the deceased, for whose benefit the Mass is to be celebrated, if suffering in purgatory, should be deprived of immediate assistance by waiting until a Requiem Mass is permitted. Hence, it is clear, that to satisfy an obligation of saying a private Mass for the dead, it never becomes necessary to wait till the Rubrics permit a Requiem Mass; neither would the prospect of such Mass be of itself a sufficient consideration to justify a priest in deferring the fulfilment of his obligation beyond the period, as otherwise assigned by theologians. On this subject we have another decree from Clement X., but as its object and extent are the same as those of the decree of Alexander VII., it becomes unnecessary to do more than refer to it. These decisions have a practical bearing on countries, where, as in Ireland, the number of doubles so much predominates, and where, as a consequence, according to the general provisions of the Rubrics, the occasions, on which a private Requiem Mass may be said, are so very few.

The next point we have to consider is the extent of our obligation when we have to say Mass for a deceased person on semi-doubles or on occasions when a Requiem Mass is permitted. There are two cases in which we are bound to say a Requiem Mass. The first of

these is, when the kind of Mass to be said is distinctly requested and promised, for, according to a decree of S. R. C. 1761, "the expressed will of those who ask for a special kind of Mass should be complied with, provided it be reasonable, neither did the Supreme Pontiff dispense in such obligations;" but in the case under consideration the expressed will of those who ask for a Requiem Mass is supposed to be reasonable, seeing that compliance with it is compatible with strict adherence to the Rubrics, and does not imply the necessity of deferring the Mass for the deceased. If any delay became necessary from Rubrical considerations, then the case is distinctly legislated for by the decree of Alexander VII., already referred to in detail. By a Papal Indult of 1862, the priests of Ireland have the privilege of saying a private Requiem Mass "praesente cadavere" on double festivals; and therefore a priest, who is asked by a person giving a *honorarium* to say a Requiem Mass, is bound to do so on those occasions privileged by the Indult. The second of the cases above referred to is that in which a priest promises to say Mass at a privileged altar; for in answer to a question sent to S.C.I. it is stated that a priest who has to say Mass at a privileged altar is bound to use black vestments whenever a Requiem Mass is allowed, and that he does not fulfil his obligation by saying the Mass of the day. The reason of this decision is clear, for the obvious intention of the person asking for Mass at a privileged altar is to gain the indulgences attached to its celebration at such an altar; but as appears from various Papal Constitutions those indulgences cannot be gained unless a Requiem Mass is celebrated, when permitted by the Rubrics. On other occasions the indulgences may be gained by saying the Mass of the day, as appears from a decision of S.R.C. given 22nd July, 1848. As we have already seen, the Mass of the living and Requiem Mass admit of no substantial difference, hence if in either of the two above-mentioned cases a priest receives a *honorarium* for a Requiem Mass, but says the Mass corresponding to the Office of the day, he is not bound to restitution, seeing that he has substantially fulfilled his obligation; he is, however, according to the general opinion of theologians, guilty of at least venial sin.

In other cases besides the two mentioned, a priest is justified in saying the Mass of the day for deceased persons,

even when the Rubrics permit a Requiem Mass. This teaching rests on two affirmative answers, one given by S.R.C. 1840, to the following question: "An sacerdotes qui diebus, quibus per rubricas licet Missas de Requiem celebrare, Missas privatas oblato manuali stipendio pro uno vel pluribus defunctis celebrant conformes officio, satisfaciant obligationi?" The other given in the same year by S.R.C.: "Utrum sacerdos satisfaciat obligationi celebrandi Missam pro defuncto, servando ritum feriae vel cujuscumque sancti etiamsi non sit semiduplex vel duplex?" From the affirmative answers given to these questions, it follows that a priest in other cases besides the two excepted, satisfies his obligation by saying for the dead the Mass of the day. That he satisfies his obligation not merely substantially, but so as to be free from the guilt even of venial sin is evident, (a) from the meaning attached to the expression "satisfaciunt obligationi" in various responses given by the same Congregations, and (b) because S.R.C., in answering the question put to them in 1840, referred to the decree of Alexander VII., and decided according to its sense, "*juxta decretum generale 1662.*" It may not be out of place to mention, that this privilege of saying the Mass of the day instead of a Requiem Mass does not, as is clear from an answer of S.R.C. 1662, extend to other Votive Masses. From what has been said it appears, that there are only two cases, in which a priest does not fully satisfy his obligation by saying for deceased persons the Mass corresponding to the Office of the day. The cases that ordinarily occur present little or no difficulty under this head, seeing that the kind of Mass to be said is very rarely specified. It will be necessary to bear distinctly in mind, that the decisions quoted up to the present, refer exclusively to *private* Requiem Masses, for the legislation on solemn Requiem Masses is quite different.

We now come to consider the second of the two questions proposed at the commencement of this Paper, viz: "What is the efficacy of the Mass in reference to the souls in purgatory"? Before we endeavour to answer this question it may be well to premise, (a) that it is *de fide Catholica*, as defined by the Council of Trent,¹ that the souls in purgatory derive assistance from the Sacrifice of the Mass, and (b) that it is certain, that this assistance comes to them in the way of satisfaction or atonement to

¹ Sess. xxv., c. 1. "Animas in purgatorio detentos fidehum suffragiis potissimum vero acceptabili altaris sacrificio juvari."

God for the temporal punishment due to their sins, for such is the only assistance of which they are capable in their present state of suffering: "Certum est," says Perrone,¹ "defunctis sacrificium istud nullo alio modo prodesse quam remittendo paenam temporalem." Thus far there is no doubt raised by theologians; they agree in admitting the fact of assistance given by the Sacrifice of the Mass to the souls in purgatory and also the kind of assistance in the sense explained. When, however, they come to examine the matter more in detail, and to inquire into the extent of the efficacy which the Mass actually possesses for the relief of the dead, the question becomes one of warm controversy, each side claiming in its defence honored names that must be received with respect in every school of Catholic theology. To understand the precise limits of the controversy, or, in other words, to distinguish between those points that are accepted as certain and those that form the subject of dispute, it will be necessary to have a clear notion of certain terms that are employed by theologians in the treatment of this subject. We have then to understand what is meant by the *sufficiency*, the *efficacy*, and the *fruit* of the Mass, as applied to the souls in purgatory. The *sufficiency* of the Mass² is its inherent dignity or value, and the capability which it might have, if Christ so willed, of remitting to departed souls the punishment due to their sins, or, in other words, it is the peculiar aptitude which Mass has to become the medium of applying to these souls the merits of Christ. Its *efficacy*, on the other hand, is the capability which it has, as determined by Christ's will, of delivering the souls in purgatory from their suffering; and the term of punishment actually remitted is called the *fruit* of the Mass. The distinction between the *sufficiency* and the *efficacy* of the Mass will become intelligible if we but bear in mind that it was instituted by Christ, and though its excellence and aptitude to apply the fruits of Redemption were independent of His will, still the capability which it was *de facto* to have for that purpose was left entirely to the exercise of His free choice. He might, therefore, have given to it a capability of applying His merits equal to its aptitude, or He might have assigned to it

¹ De Euch, n. 282.

² N.B.—In the treatment of this subject we consider the *sufficiency*, *efficacy* and *fruits* of the Mass, only in reference to the souls in purgatory.

a limited capability, as determined by His Own wise judgment. In the first hypothesis the capability of the Mass to atone for punishment would be co-extensive with its aptitude; in the latter, the case, as is clear, would be quite otherwise. Now, theologians generally admit that the sufficiency of the Mass is infinite in the sense to be presently explained, for the Mass, as the Council of Trent declared, is substantially the same as the Sacrifice of the Cross: hence, its intrinsic excellence is infinite, and its aptitude to *apply* is co-extensive with the power which the Sacrifice of the Cross had to *merit* the fruits of Redemption, and therefore infinite. They also admit, that the fruit of the Mass or the actual term of punishment remitted to the souls in purgatory is finite, seeing that the eternal punishment due to their sins must be remitted before death, otherwise purgatory will not be their place of suffering. The whole controversy then is about the efficacy of the Mass, or the capability which it has, in the present order of things, as determined by the Will of Christ, of remitting punishment due to the souls in purgatory. Is that capability infinite and unlimited? Such is the question at issue, to which opposite answers are given by different theological writers.

Some, adopting the opinion of Cajetan, answer in the affirmative, and say that the *efficacy* of the Mass is *infinite*, not *absolutely* but *relatively*, or, to speak in the language of theology, it is infinite *in sensu syncategorematico*, the meaning of which in the present case is, that there is no punishment so great that greater cannot be remitted by the Sacrifice of the Mass. To say that the efficacy of the Mass is infinite in the sense explained, clearly implies, (*a*) that it is infinite *intensive*, *i.e.*, in atoning for punishment due to an individual, and (*b*) that it is infinite *extensive*, *i.e.*, in atoning for the punishment due to any number of souls no matter how great that number may be. This point must be borne in mind, for many of those who attribute to the Mass an *infinite* efficacy do not take the word *infinite* in the sense explained, but in a limited and qualified sense. Such is the case with Vasquez, who, while professing to hold the infinite efficacy of the Mass, simply says, that it is equally effective for many as for one, while he does not discuss the question whether or not it has an unlimited capability of atoning for the punishment due to any one. The patrons of this opinion use various examples to illustrate their doctrine; the most common,

perhaps, is that of the sun, which is equally effective in warming each one of us as if he were the only one on earth; so in like manner the Sacrifice of the Mass is equally effective in remitting the punishment of many as of one. This illustration is retorted by those who hold the opposite opinion; they say that as the rays of the sun, by being concentrated by a lens on its focus, have their effective power on that particular point increased, so also are the fruits of the Mass concentrated on special souls by the priest's intention acting as the lens does in the case of the sun's rays.

The more common opinion, and, as we think, the more tenable, holds that the Mass has but a finite efficacy or limited power of relieving the souls in purgatory, and many of those, who hold its efficacy to be infinite when applied to the living, change sides when they come to consider its efficacy for the dead. This opinion is sustained by the feeling of the faithful as manifested in a practice that has been observed in every age of the Church's existence; *firstly*, of having the Sacrifice of the Mass offered for deceased friends in particular rather than for the deceased in general, and *secondly*, of having Mass repeated for the same deceased person. This practice would be without foundation if the Mass had that unlimited efficacy which is attributed to it by the patrons of the opposite opinion. And the Church appears to recognise the same necessity as the faithful, for in the Missal we have a Mass "pro uno defuncto"; and not only this, but different Masses arranged for the same deceased; thus we have "Missa in die obitus seu depositionis," "Missa in die tertio" "Missa in anniversario," which would be intelligible only on the hypothesis that the Mass has but a limited efficacy for the relief of the souls in purgatory. This consideration is urged by De Lugo¹ to sustain the same opinion; "Si enim," he says "tantum prodest omnibus et singulis quantum si pro uno tantum applicetur, cur non applicantur omnes Missae pro omnibus defunctis; rursus sequitur sacerdotem qui debet Missas duobus vel tribus, satisfacere offerendo unam pro omnibus, cum tam prosit eis quam si pro singulis offerretur." And Lacroix² in answering an objection against the efficacy of the Mass says, "communior tamen sententia est Sancti Thomae plerorumque, (Missam) non remittere infallibiliter

¹ D. XIX, n. 242.

² Lib. iv., Pars. 11, n. 10.

totam poenam sed tantum partem juxta taxationem a Christo factam, in institutione hujus Sacrificii; hinc Concilium Tridentinum dicit eas per Sacrificium *juvari*, non autem *liberari*." Suarez,¹ though he appears to attribute to the Mass, as a sacrifice of impetration for the living, an unlimited efficacy, holds its limited efficacy in reference to the dead—though he is quoted by St. Ligouri for the other view. His opinion is set forth in the following words:—"Effectus Sacrificii respondens oblationi sacerdotis ut sic quem ipse potest pro aliis proferre finitus est et unus tantum; unde si pro multis offertur sive diversis intentionibus specialibus sive una tantum communi ut pro populo vel pro communitate, minuitur fructus in singulis tantoque magis quanto major eorum numerus fuit supposita uniformi applicatione." This opinion is also beautifully expressed in the following words of Card. Bona:—"Neque considerandum est id quod in Sacrificio continetur tamquam ens quoddam naturale agens secundum gradum summum virtutis suae sed ut ens liberum cujus operatio tantam habet efficaciam quantam habere vult agens principale, Christus Redemptor noster." The only other authority that I will quote in favor of this opinion is that of the Angel of the Schools²—"Quamvis virtus Christi qui continetur sub Sacramento Eucharistiae sit infinita, tamen determinatus est effectus ad quem illud Sacramentum ordinatur: unde non oportet quod per unum altaris sacrificium tota poena eorum qui sunt in purgatorio expiatur." From these words it is clear that St. Thomas holds (a) that the *sufficiency* (virtus Christi) of the Mass is infinite and (b) that its efficacy (effectus ad quem . . . ordinatur) is limited and finite.

Whatever may be the value of these opinions, viewed speculatively, we are bound to follow the latter in practice, so that if we receive *honoraria* from two or more persons to say Masses for different purposes we cannot fulfil our obligation by saying one Mass only. This is simply a consequence of the general principle of justice which forbids us to act on a merely probable opinion when there is danger of violating the strict and certain right of another. It also follows from the condemnation of the following proposition by Alexander VII.:—"Duplicatum stipendium potest sacerdos pro eadem Missa accipere applicandopetenti partem etiam specialissimam fructus ipsimet celebranti

¹ Aenaect. lxix., Act 12, n. 2.

² Supp. 3, p. q. 71, n. 9.

correspondentem." There is one case in which it is generally held, that a priest may act on the first opinion, viz., if a priest promises different persons to say Mass for them without receiving any *honoraria*; in this case he may satisfy his obligation by saying one Mass for all together.

If the second opinion be the true one, and no doubt the weight of authority appears to be in its favor, it remains for us to consider how the *efficacy* of the Mass for the dead is limited. The extent of its *efficacy*, as we have seen, depends entirely on Christ's Will, and may have been determined according to any one of the many plans which we can conceive our Divine Saviour to have adopted. Which of these plans of limitation He may have adopted is necessarily a matter of uncertainty, since He has never clearly manifested His Will on the point speaking either through inspiration or the teaching of the Church. Suarez¹ suggests one plan, which he adopts himself, and which has, at least, the merit of being in harmony with the ordinary notions of Catholics, viz., that the Mass, as a sacrifice of satisfaction, has a definite limited *efficacy* which, according to the will of the priest, can be applied to one or more, the efficacy in reference to each decreasing according as the number of those for whom it is offered increases. "Alter modus institutionis intelligi potest quod uni oblationi sacerdotali unus respondeat effectus adaequatus v.g. decem gradus satisfactionis qui omnes possint vel uni personali applicari vel inter multos distribui, non vero quod omnes possint singulis donari, vel, ut ita dicam, totaliter multiplicari, asserimus ergo institutionem esse factam hoc posteriore modo."

T. GILMARTIN.

CORRESPONDENCE.

CAN A PRIEST SAY MASS PRIVATELY FOR A DECEASED PROTESTANT, APPLYING THE "FRUCTUS SPECIALIS," AND RECEIVING THE HONORARIUM?

VERY REV. SIR—I will, with your permission, offer a few remarks upon the very interesting and difficult controversy which Fr. Livius and Fr. Flanagan have been conducting in your pages. A third party may sometimes advantageously supply the place of

¹ Queast. lxxxiii., Art. 1., n. 7.

"Chorus" in illustrating and enforcing the action of the chief performers, in scoring the hits, and noting where they may seem to fall short.

Fr. Livius grounds his affirmative answer to the above question mainly on the fact that the old discipline, according to which all who had incurred the major excommunication, among others, heretics, were *vitandi*—was set aside by the Indult "ad evitanda scandala" of Martin V., which restricted the obligation of *vitatio* to two cases, the *nominatim* excommunicate, and the notorious mishandler of the clergy.

Fr. Flanagan on the other hand denies that the case of heretics, at least of deceased heretics, is in any way affected by the "ad evitanda." He begins by quoting a decree of Lateran iii., to show what was the normal condition of deceased heretics in regard to the Holy Sacrifice: "Si autem in hoc peccato [heresi] decesserint, non sub nostrorum privilegiorum cuilibet indulgiorum obenta, nec sub aliacunque occasione, *aut oblatio fiat pro eis*, aut inter Christianos recipiant sepulturam."

I remark that, when this decree was issued, all notorious heretics were *excommunicati vitandi*; that it makes no statement at all about heretics in general, being concerned only with the Albigenses and Cathari, whom it expressly declares to be *vitandi* not only in regard to the "oblaciones," but altogether "in domo et foro."

It is not set aside by the "ad evitanda," continues Fr. Flanagan (1) because this indult applies only to the living, and not to the dead; (2) because the same Pope who issued the "ad evitanda" also issued the "inter cuncta," which says, "etsi tales haeretici publici et manifesti, licet nondum per ecclesiam declarati [hence tolerati] in hoc tam gravi crimine decesserint, *ecclesiastica careant sepultura, nec oblaciones fiant aut recipiantur pro eis*."

I answer (1), that according to many theologians the "ad evitanda" does apply to the dead. Thus De Lugo (De Euch. Disp. xix. sect. x. n. 189), argues that it allows Mass to be celebrated for the *toleratus defunctus*, as an integral part of his *sepultura in loco sacro*. That heretics are not *ipso facto* excluded from the operation of this Indult is manifest from heresy not being one of the exceptions mentioned. Sanchez (Op. Mor. Lib. ii. cap. 9), maintains, that in virtue of this Indult, "Catholicos in locis haereticorum, ut in Anglia, Germania, Gallia, &c., cum illis conversantes nullatenus peccare, quia etsi hi haeretici sunt notorii non tamen sunt denunciati." This lawful conversatio, he says, includes "orare simul, rei que Divinae interesse, haereticorum funus comitari, eosque ad sepulchrum deducere," though heretics may not be laid *in loco sacro*.¹

(2), The "inter cuncta" deals expressly with Hussites and

¹ Nor I would add, however it may be with other *tolerati*, does ecclesiastical *consuetudo* allow any public service for notorious heretics.

Wiclifites, whose complete *vitatio* it declares. Fr. Flanagan's parenthetical comment upon "nondum per ecclesiam declarati" "[hence tolerati]" falls to the ground, when we find that, though both documents were issued in the same year (1418), the "*inter cuncta*" is dated Feb. 22, the "*ad evitanda*," April 15, and the latter document contains the phrase "*constitutionibus Apostolicis et aliis in contrarium facientibus non obstantibus quibuscunque*."

I have hitherto been contented to assume that the words "oblations," which "are not to be made, or received," are equivalent to the private application of the *fructus specialis*. But if we look into Ducange, or the admirable index to Hardouin's "*Concilia*," we shall see that the "*oblatio defunctorum*" constantly means the alms presented during the Requiem by the relations and friends of the deceased, and afterwards distributed to the poor, sometimes when it had first yielded a *stipendium* to the priest and other ministers.¹ It connoted a public service, which was of course barred to the *vitandi*. We have an interesting example of such "oblation" in Cavendish's account of Wolsey's funeral: "Master Kingston with us, being his servants, were present at his said funeral, and offered at his Mass."

I think I have shown that the probability of Fr. Livius' opinion is not in any way affected, either by the decree of Lateran, or by the "*Inter cuncta*." To the adverse opinions of the theologians quoted by Fr. Flanagan, Fr. Livius may be satisfied to oppose Fr. Lehmkuhl.

I should now like to say a word upon two points which have not been formally handled in this discussion—the history of the "*Ad evitanda*," and the position of the *vitandi* in regard to the Holy Mass.

This famous Indult is found in St. Antoninus Summa. Theolog. tom. 3, tit. xxv. cap. 3,² and until the year 1700, a period of nigh three hundred years, St. Antoninus was the one authority for its existence: nay, Benedict XIV. (de Syn. Lib. 12, cap. 5, n. 4), the first edition of which bears date 1748, says that this was actually the case at the time of his writing, and marvels that the document is not to be found in Labbe, or Mansi, or even in Von der Hardt, who has gathered up "*minutissima quaeque*" regarding the Council of Constance. Ballerini in a note to Gury (Tom. ii. p. 855, Ed. 1), remarks that though the Pope could not find it in these authors, he had only to look into Hardouin's "*Concilia*," Tom. viii. col. 892, published in 1715, from whence it got into other collections. It is sufficiently comical that though neither Benedict XIV. nor Ballerini could find it, yet there it is none the less, in Von der Hardt

¹ Arriaga (de Euch. Disp. 5, 2, sect. 4, n. 16), says that in the Lateran Decree, "Non fuit quaesitum de Sacrificio Missae sed de accipiendis eleemosynis nomine defuncti."

² It is also mentioned or quoted in his Sum. Histor. A.D. 1418, which I have not seen.

the original collator of the MSS. from the Vienna and Brunswick libraries. Conc. Constant., Tom. i. pars. 24, p. 1067. This was published in 1700, fifteen years before Hardouin. The Pope might have seen it also in the Venice Edition of Labbe, which appeared in 1731.

The differences in the texts of St. Antoninus and Von der Hardt are merely verbal, and of no importance whatever. On the other hand, the document, of which the Indult forms a part in Von der Hardt, calls itself a *concordatum* with Germany, "ad quinquennium," the Pope saying, that after the five years, things are to revert to their normal state; whereas St. Antoninus protests against the existence of either of these limitations; the limitation to Germany, on the authority of Cardinal Julian, and the limitation to five years, on the word of "duo venerabiles viri famosi," whose names he gives, one of whom asserts that he heard the Pope say, "Ego volo quod semper duret." St. Antoninus concludes with the remark that the Indult was confirmed at Basle, but he does not notice that it there received a most important alteration, by which the indulgence is very notably contracted. For the phrase, "salvo si quem pro sacrilega manuum injectione," &c., the Council of Basle (Sess. xx.) substitutes "aut si aliquem ita notorie in excommunicationis sententiam constiterit incidisse," thus excepting *all* the notoriously excommunicate.¹ The Indult *thus restricted* was re-issued by Leo X., Lateran v., Sess. xi. (Labbe, tom. xix., col. 958-9), as part of a Concordatum with France. In spite, however, of this weighty legislation, the *consuetudo* inaugurated by St. Antoninus on the lost Indult wholly triumphed, the protest of certain Canonists notwithstanding, as Benedict XIV. (l.c.) testifies. A very notable example surely of the overwhelming power of *consuetudo* against mere enactment.

For the vitandi, even Fr. Livius makes no attempt to plead. It is absolutely forbidden, under mortal sin, he says, to offer Mass for them. So far as the Mass is offered *nomine ecclesiae* it is not only illicit, but invalid also; *i.e.*, so far as it is meant to give them a share in the *fructus generalis*, which the Church devotes through the Priest to each and all of her members, and expresses in the Liturgy, nothing can derive to the *vitandus*. If, however, it be offered *nomine Christi*, *i.e.*, the *fructus specialis* be applied to the *vitandus* living or dead, then, notwithstanding the Church's prohibition, it has its effect, if no obex be put on the part of the *vitandus* himself. In support of this view theologian after theologian may be appealed to, and at first sight it would seem that no more lenient opinion could be maintained save in the teeth of the whole schola; but this is hardly the case. For (1) it is as hard to show documentary evidence that the Church has forbidden

¹ Here, too, for the first time appears the clause appended declaring that it is not for the alleviation of the excommunicate, but for that of the faithful.

a secret offering of the Mass for the *vitandus*—excluding of course any sort of compact with him—as it is, that she has done so in the case of the *toleratus*. (2) A large number of the opposing schola are not really regarding the question under the stringent conditions we have laid down. (3) Many theologians, among others, St. Antoninus and Mastrius, hold that Mass may be said for a deceased *vitandus*, who has shown signs of contrition, but has never been absolved, on the ground that the Church would never intend to deprive such an one, &c. But the *oblatio* we are contemplating would only be made *sub conditione* that the *vitandus* died precisely in such a state that the Church would never intend, &c.; that he was contrite or not needing contrition; that he is in Purgatory, and, therefore, a member of the Church. I think the former opinion affords a moral support to the latter. (4) There are theologians, and of no mean note, who maintain that a Priest has the strict right to apply the *fructus specialis* to any one for whom it may probably avail; which right cannot be, and of course never has been, curtailed by the Church. Estius (in 4 Sent. Dist. 18, s. 13): “Immo nec videtur (ecclesia) prohibere posse quominus sacerdos ad altare pro excommunicato oret et sacrificet, cum effectus incruenti sacrificii sicut et cruenti quoad causas et personas sit universalis, qui proinde humana prohibitionem restringi non debeat.” Billuart (Tract. de Relig. Diss. 2, Art. vi.): “Non video cur non liceret celebrare pro excommunicato etiam non tolerato, sive accepto sive non accepto *ab eo*¹ stipendio. Scio hanc assertionem communiter negari ab auctoribus, sed quo fundamento nescio.” He appeals to Silvius in. 3. qu. 83, Art. i. quæsit. 9, as agreeing with him; I think, fairly. Arriaga (l.c. n. 12, 13) “Si consideretur hoc sacrificium ut a Christo oblatum, Ecclesia quidam prohibet, ne applicetur excommunicatis, est tamen magna difficultas in hoc ipso, nam ea prohibitio solum videtur posse locum habere quod applicationem *exteriorem* quæ sola subjacet Ecclesiæ: at cum hæc non judicat de occultis, vix videtur posse prohibere non solum quoad valorem, sed nec quantum ad hoc ut licite fiat. Hæc objectio mihi videtur difficilis, unde valde probabiliter dici potest eum tunc non peccaturum.” He claims the support of Bellarmine who says (*De Miss.* lib. 2, cap. 6), “Multos viros pios offerre pre conversione hæreticorum *totum* sacrificium missæ, id quod ait se non audere reprehendere.” He insists that though the *oblatio* is public, the unpublished *intentio* is not, and that upon it, “non videtur habere jns ullum Ecclesia; ex ea regula generali ‘de occultis non judicat Ecclesia.’ Vides ergo nostram resolutionem esse valde probabilem.” He grants indeed that the Church might possibly indirectly affect the lawfulness of this intention, by making abstinence therefrom a condition of her licence to say Mass at all; but

¹ I should demur to the “*ab eo*” whether by gift or legacy, not so from a Catholic friend.

he concludes "dubito tamen vehementer an eo modo obligandi ad eam interiorem omissionem oblationis usa fuerit Ecclesia."

Herinex (*De Sac. Miss. Disp. viii.*, qu. v., n. 62), "Communiter tamen supponitur vel asseritur illicite saltem, fructum nomine Christi applicari excommunicatis *non toleratis* ex prohibitione Ecclesiae, quod mihi difficile apparet: eo quod Ecclesiae prohibitio sic videretur ferri directe in actum meri interni, in intentionem scilicet applicandi fructum sacrificii: nam sacrificium ipsum non prohibet, at solum prohibet offerri *pro tali*, quod nihil aliud est quam prohibere, ne sacerdos habeat interius intentionem praefatam, quae ad substantiam et valorem ipsius sacrificii non spectat. Unde Arriaga censet probabilius hoc non esse illicitum." To these may be added Drouven (*De re Sacr.* lib. v., cap. 1, sec. 2). All these authors will, of course, avail *a fortiori* for Fr. Livius' position. So much for external probability.

As to internal probability, I would submit that to suppose that the Church bars altogether a great act of mercy, probably effective, internal, and carefully removed from all danger of scandal, or the irreverence of frustration, is to suppose action wholly unparalleled in the legislation of the Church. Even on the showing of some of those who formally maintain that Mass may not be said for a *vitandus*, it would seem that it might be offered in such sort that a *stipendium* might be received from the Catholic friend. The *fructus specialis*, in respect even to the *effectus impetrationis*, is *ex opere operato*, and De Lugo (*De Euch. Disp.* 12, sect. x., n. 179) says, "Hoc sacrificium ut impetratorium, offerri potest pro quacunque re a Deo juste obtinenda, atque adeo non solum pro baptizatis sed etiam pro rebus inanimatis et pro expertibus rationis." "Mirum est," he goes on to say, "quod possit offerri ad impetrandam sanitatem bovi aut equo, non autem ad impetrandam salutem spiritualem filio vel amico infideli." It is true he does not follow out his argument to the case of the *vitandus*, but it is hard to see how he can stop short. If we suppose that the Mass might be so offered for the *vitandus*, a *stipendium* might be as fairly received for him as for one in mortal sin, who can obtain no effect save that of impetration: or as it can be received for any soul in Purgatory, according to the theory of Soto and Canus, that all the effects, even that of satisfaction, only avail the dead *per modum impetrationis*. Again, Dr. Walsh, I. E. R., August, 1883, admits that *indirectly, e.g.*, as the good of the Catholic friend, the Mass may be offered for a *vitandus*. And even thus I conceive the *stipendium* might be received.—I am, Very Rev. Sir, your obedient servant,

H. I. D. RYDER.

DOCUMENTS.

I.

SUMMARY.

Letter of Cardinal Simeoni, Prefect of Propaganda Fide, to Cardinal Manning, Archbishop of Westminster, reiterating the prohibition to Catholic parents to send their sons to the Protestant Universities of England.

LITTERAE EMI. PRAEPECTI AD EMUM. ANTISTITEM WESTMONASTERIEN. QUOAD UNIVERSITATES HETERODOXAS.

Eme. Rme. Domine Colme.

Romae Prid. Kal. Febr.

Accepi tuas literas, Eme. Princeps, datas die 20 Decembris elapsi anni, ex quibus ingenti dolore didici, a plerisque familiis haud istic magni fieri s. Sedis monita, quibus patres ad *ἑτεροδοξων* Oxoniensem et Cantabrigensem publicas scholas filios mittere vetantur. Tu ipse, Eme. Princeps, id exinde potius oriri innuis, quod ob quandam s. Sedis falso praesumptam tolerantiam, hanc consuetudinem excusandam esse arbitrentur, quam ex voluntatis malitia.

Te igitur rogo, ut ad superiorem catholicae iuventutis, quae in istis regionibus commoratur, educationem ab huiusmodi perversionis periculo tuendam fidelibus populis notum facias, nihil in documentis, quae hac super re ab Emo. Card. Barnabo, praedecessore meo, ad Angliae Episcopos data sunt postridie idus Augusti anno 1867 et in Acta Synodorum Westmonasteriensium insertis, fuisse immutatum. Ad id assequendum, opportunum arbitror, istius Provinciae Episcopis per Te edici, ut populis sibi subditis eadem documenta in memoriam revocent.

Hac occasione utor ad humillimi obsequii erga Te mei sensa, Eme. Domine, expromenda, quo manus deosculans tuas me gloriis profiteri.

Eminentiae tuae demississimum.

Addictissimumque servum,

I. CARD. SIMEONI, Praefectus,
✠ DOMINICUS, Archiep. Tyren. a Secr.

II.

SUMMARY.

Privilege granted (26th May, 1883) to the College at Maynooth of conferring Minor Orders once a year on an ordinary Double Feast.

BEATISSIMO PADRE.

IL SACERDOTE Guglielmo Walsh, Rettore del Collegio di Maynooth in Dublino, prostrato ai piedi della Santità Vostra umilmente implora la facoltà affinché possano essere conferiti una volta l'anno nel suddetto Collegio gli ordini minori in un giorno di rito doppio.

EX AUDIENTIA SSMI. HABITA DIE 26 MAII, 1883.

SSMUS. Dominus Noster LEO Divina Providentia P.P. XIII. referente me infrascripto S. Congregationis de Propaganda Fide Secretario, benigne adnuit ut in Collegio Maynootiano ordines minores conferri queant ab Ordinario Dioecesano omnibus etiam feriatis diebus ritus duplicis minoris una vice in anno.

Datum Romae ex aed. dictae S. Congregationis die et anno ut supra.

(SEAL)

✠ D. ARCHIEP. TYREN. *Secret.*

Gratis quocunque titulo.

III.

SUMMARY.

Privilege granted (17th May, 1885) at the request of the Irish Bishops, to St. Patrick's College, Maynooth, of conferring Sub-Deaconship and Deaconship on any Double Feast, once a year.

BEATISSIMO PADRE.

GLI ARCIVESCOVI e Vescovi d'Irlanda dimoranti in Roma, prostrati ai piedi della Santità Vostra, umilmente La supplicano affinchè voglia degnarsi di concedere al Collegio Nazionale di S. Patrizio a Maynooth il privilegio che una volta l'anno ivi in qualunque festa di rito doppio possano conferirsi gli ordini sacri del Suddiaconato e Diaconato, per la ragione che essendo spesso necessario di aspettare parecchi giorni per avere tre giorni di precetto o di festa levata, la disciplina e gli studii molto si turbano in numero sì grande di ordinandi.

EX AUDIENTIA SSMI, DIEI 17 MAII 1885.

SSMUS Dominus Noster LEO Divina Providentia PP. XIII. referente me infrascripto Archiepiscopo Tyren., S. Congregationis de Propaganda Fide Secretario, benigne concessit ut in Seminario Maynootiano, semel in anno, die feriali haberi possint sacrae ordinationes ad Subdiaconatum et Diaconatum, dummodo sit festum duplex, idque servetur ad beneplacitum S. Sedis.

Datum Romae ex aed. dictae S. Congregationis die et anno ut supra.

(SEAL)

✠ D. ARCHIEP. TYREN. *Secret.*

Gratis quocunque titulo.

IV.

ST. VINCENT DE PAUL DECLARED PATRON OF THE SOCIETIES OF CHARITY THROUGHOUT THE CATHOLIC WORLD.

Last year (May, 1884, p. 333), we published the Petition of the Irish Bishops to the Holy See to constitute St. Vincent patron of the Works of Charity founded in Ireland, and the gracious concession of this request.

“Sanctum Vincentium a Paulo omnium Societatum Caritatis in toto Catholico Orbe existentium, et ab eo quomodocumque promanantium ceu peculiarem apud Deum Patronum (SS. mus D. N. Leo P.P. XIII.) declaravit et constituit, cum omnibus honorificentis colestibus Patronis competentibus.”

16th April, 1885.

THE IRISH ECCLESIASTICAL RECORD.

SEPTEMBER, 1885.

PRESBYTERIANISM IN SCOTLAND.

SCOTTISH newspapers are not as a rule very lively reading. The dull routine of politics and the sectarian jealousies of the rival Presbyterian churches in the country, exclude almost every other topic from the columns of our North British journals. Taking up one's *Scotsman*—looked upon for some recondite reason as the *Times* of Scotland—one can give a shrewd anticipatory guess at its editorial contents. There will be a leader on some general political question of the day, in which Tories and Home Rulers narrowly escape being crushed to atoms, under the weight of the literary chastisement that is inflicted on them. Another article follows on some matter of local or municipal concern, and the third—when there is a third—is “bound,” as the Americans say, to be a skit upon some minister or body of ministers. If you have the courage to wade through these ponderous compositions, you do so with a dreary sense of unrelieved sameness, and with a feeling that you are going over the very same ground for the hundredth time.

During the month of May the reading of the Scotch newspapers is quite a treat to the student of religious idiosyncracies. The month of May, I should explain, is the time fixed for the holding of the annual General Assemblies of all the Presbyterian churches of Scotland. Overwhelming now is the influx into Edinburgh of ministers and elders. Deep, dark, and continuous is the stream of clericalism that rolls along Prince's-street, North Bridge, and other well-known thoroughfares. The “entertainment,” as some of the newspapers profanely designate these meetings, begins

with the tiny treble of the Congregational Church. The music gathers tone and volume with the meetings of the United Presbyterian and the Free Church, and then at last, on the 21st of the month, the organ ecclesiastic bursts out into the grand diapason of the General Assembly of the Kirk of Scotland or Established Church itself. The opening of this assembly is quite a grand event. The Lord High Commissioner, represents Her Majesty the Queen, and travels in royal state from Her Majesty's Palace, Holyrood, to St. Giles' Cathedral, amid the boom of artillery and the blare of trumpets and the huzzas of the populace, and, hardly necessary to add, amid the stirring if not melodious strains of the inevitable Scotch pipes. After a prayer, and a sermon by the outgoing Moderator, the Procession is reformed and proceeds to the Assembly Hall, where the Lord High Commissioner reads Her Majesty's letter of commission and solemnly opens the Assembly and the mouths of the congregated fathers.

In the yearly assemblies of the various churches pretty much the same procedure is followed and the same class of business transacted. In all, there are burning questions to be solved and knotty difficulties to be unravelled, and personal quarrels to be fought out; and too often alas! mal-odorous minister-scandals to be exhibited for the edification of the general public. Such a Babel of discordant sounds! such dexterous thrusts and deft defences, such disloyal handling of the Queen's English, and such a jargon of Scotch ecclesiastico-legal phraseology—of “overtures” and “homolgations” of “jamae” and “jamae clamorae,” and “libels” and “condescendances,” and “deliverances.” And such a clashing and clanging of minister with minister, and deacon with elder, and minister and deacon and elder, struggling confusedly together in the same fierce, earnest, but wholly unintelligible strife. A local newspaper compares the battle to a “maul” in a football match, and the comparison is not an inapt one.

These Presbyterian parliaments, whose discussions have been lately encumbering if not adorning the Scotch newspapers for three or four weeks, have attracted my attention to the actual state and the apparent tendencies of Presbyterianism in Scotland, and possibly the result of my studies on the subject may prove of some interest to the readers of *THE IRISH ECCLESIASTICAL RECORD*.

It is a trite remark, and one not the less true for that, that the barrier of the Church's infallible authority once

broken down, the way is flung open to every error in the matter of religious belief and practice. After Germany, perhaps this truism has nowhere been more visibly exemplified than in Scotland. From the days of John Knox to our own, the history of religion in Scotland, has been a record not only of unceasing turbulence and variation, but also of steady and constant disintegration. One by one the stones of the old edifice of the Catholic and Christian faith, have been flung aside; the saving truths and the traditional practices of Christianity have glided away from the minds and the hearts of the people, until at the present day, religion in Scotland is little better than modern rationalism, tempered and restrained somewhat by the moral teachings of the New Testament, and disguised by certain forms of external piety and divine worship. The Apostacy began with a war against the Pope and his supremacy over the entire Church—a war signalized by such gallant feats as the judicial murder of the venerable Archbishop of St. Andrew's and the hunting into an English death-trap of Mary Stuart, and the iconoclastic destruction of temples and altars that, apart from their sacred character, might, by their unsurpassed beauty, have appealed for preservation to the æstheticism of a Zulu or a Hottentot. The Pope being disposed of, it was next the turn of the Prelates—"imps of Satan" they all were, "bairns all alike of the auld h——." Then came the uprisings against the pretended rights of ministers; and the repudiation of all patronage; and the stern resolve that ministers like other public servants must be elected by the people's votes—in other words that the people should be their own teachers and preachers, and that religious democracy should rule the land, and prescribe the nation's religious doctrines and moral duties. This, broadly, is the polity of every Scottish Presbyterian body at the present day.

Now democracy, whatever we may think of it in politics, is sure in religion to lead to anarchy and chaos. We are not surprised, therefore, at the bitter disunion that exists in the Presbyterianism of Scotland. The "Church" has been indeed cruelly rent asunder, and the Established Church, the Free Church, the United Presbyterian, and the Congregational Church (not to mention a few score others) wage, one against another, a war that is always earnest and resolute, and that sometimes reaches the utmost fierceness and bitterness. What the exact points

of divergence between these contending sections of Presbyterianism are, an outsider cannot very readily determine. The Marquis of Salisbury no doubt studied the question during his Caledonian tour a few months ago, and yet we find him saying, the other day, at Knightsbridge: "I do not know that the electors of Hamstead—many of them—know what the Established Church of Scotland is. At all events they are probably not very deeply read in the precise subjects of division that separate the various ecclesiastical bodies of Scotland. *I confess I myself have never been able to understand them.*" In such illustrious company I ought not to be ashamed to avow my ignorance too. To gain light I have questioned several men of position in the churches upon the subject, and they all seemed to think that the whole position was enveloped in a veritable Scotch mist. I am able to state, however, that these disagreements are not so much of a doctrinal, as of an administrative nature. It is in views of ecclesiastical polity, rather than in Confessions of Faith, that the points of divergence must be traced.

The great disruption of 1843, which eventuated in the foundation of the Free Church of Scotland, was immediately brought about by a conflict between the civil and the ecclesiastical courts. The assumptions of the "civil courts to coerce the courts of the Church," "to interdict the preaching of the Gospel" in certain circumstances, to "supersede the majority of the Church court," &c., were upheld by the legislature in spite of national protests and of national agitation. The Kirk itself yielded for the sake of the loaves and the fishes that were perilously at stake; but on the 23rd May, 1843, as many as 474 ministers and professors, solemnly seceded from the Establishment, and renouncing all claims to their livings, declared that their benefices in the Church of Scotland had become vacant. From that day the Free Church has proved a most formidable competitor of its well-endowed sister. Its adherents are numerous and influential, while its ministers seem to be more earnest and zealous, or at least more pushing and aggressive, than their rivals of the Establishment. Its gross annual income amounts to the enormous sum of nearly £650,000, and its progress from its foundation has been sure and steady. By a Blue-book issued at the recent General Assembly at Edinburgh, we find that the membership of this Church was on the 31st March, 1885, 324,920, as compared with 322,265 at the corresponding

date last year ; with 314,604 for 1883 ; 314,027 for 1882 ; and 312,429 for 1881. This increase, it is only fair to say, is partly to be accounted for by the general growth of the population of the country, but I question whether any of the other Presbyterian bodies can give any sign of similar progress and vitality.

The United Presbyterian Church was formed in 1847 by the union of the *United Secession* and *Relief Churches*. Amongst the voluntary Presbyterian bodies this sect comes next after the Free Church in importance and in point of numerical strength. It adopts the usual "Confessions" of Presbyterianism, but differs from other Presbyterian sects in details of government, rejecting the assumptions of such institutions as General Assemblies or Provincial Synods as "Unscriptural."

The Congregational Church is comparatively insignificant. Its principles of administration are that each congregation is fully supplied with the spiritual machinery needed for its own working, and by itself and by its own members must each congregation stand or fall.

Efforts have been made from time to time to unite these contending Church elements into one harmonious whole. So far these efforts have proved vain ; and the Nemesis of disunion that pursues all heresies is not likely to hold its hands off the Protean Presbyterianism of Scotland. Some of the leading organs of public opinion throw all the blame of the continued separation on the selfishness or ambition or obstinacy of the ministers, and roundly assert that were all the ministers happily submerged beneath the ocean waves for four and twenty hours, the laity could easily and amicably settle their long standing differences. On this amiable hypothesis there is no need of offering an opinion.

What strikes one as specially worthy of notice in these quarrels is this, that while fighting tooth and nail for, or against, certain insignificant details of ecclesiastical government, the Presbyterians seem to be extremely tolerant with regard to the rejection or acceptance of many of the most essential truths of Christianity. To be a good Presbyterian you have simply to join the communion roll of a certain sect ; after that you may believe pretty much as you please. For a century or two, we know, there was a wild fanatical zeal for the "open book" of the Scriptures. Now, amongst many of the educated classes, the Scriptures are completely thrown overboard ; and the Catholic

Church, which had so long been reviled for rejecting or hiding away the Bible, is now still more bitterly assailed for upholding the teachings of this musty volume, in an age of science and progress like ours. Christianity, when it is not rejected, is often patronised as having initiated an excellent form of social progress and of social amelioration. Its moral teachings are declared to be unsurpassed even by those of Buddha or Confucius, and what more could the most fervent Christian desire? As for the Pentateuch and other historical books of the Old Testament—how should they be able to bear the glare of light turned upon them by modern science and research? Then as to the necessity of Baptism, or the eternity of hell, or the reality of original sin, or the meaning of the Redemption, or the divinity of the Saviour, or free will, or predestination, we have the wildest theories freely and gratuitously put forward; while some of our teachers in the press refer to any idea of God or of a future life as simply “Obscurantism.”

These infidel teachings are to be met with, not merely in learned reviews or magazines, but in those morning and evening newspapers that supply the whole intellectual pabulum of the middle and the artisan classes. There is reason to fear therefore that such doctrines do not shock at least the great bulk of the reading public. Ministers themselves put forth the most latitudinarian views upon doctrinal Christianity, not merely anonymously in the press, but from the pulpit and in their published sermons. If the Scripture expressly contradicts such views, so much the worse for the Scripture. The triumphal chariot of so called science must proceed proudly on its way, even though it should crush out of existence the plainest teachings of the Bible. Matthew Arnold, Spencer, Huxley, Harrison, and other openly professed agnostics, are not to be banned as unbelievers, but patted on the back as apostles of intellectual Christianity!

There is one species of heresy, however, that is sure to draw down the thunders of the Scottish Inquisition, and that is any approach to “Romish” doctrine or “Popish” practices. For the last twelve months “The Leith Heresy Hunt” has been a familiar heading in the Edinburgh Papers. The Rev. Dr. Muir of Leith began badly. His church had been named *The Trinity Free Church*, and he gave deadly offence by calling it *The Church of the Holy Trinity*—rank popery, surely, if ever such a thing existed. He followed up his first crime by speaking of the Blessed

Virgin as the "ever blessed Mother of God," and of Leo XIII. as the "Father of the great Catholic Church of the West." It was darkly hinted too that he spoke respectfully of auricular confession, as well as of Baptism, and that he was seen sometimes to "cross himself like a priest," and worst of all, that he actually had an ivory crucifix on his bed-room chimney-piece. For all these heretical misdemeanours, the poor doctor has been dragged from tribunal to tribunal for now more than a year. He defended himself valiantly; he swore again to abide by every word of the "Confession of Faith." All to no purpose. His crime was unpardonable. Not a man in presbytery, synod, or assembly, had a word to say in his defence. Driven at last to recklessness and despair, the "heretic" turned on his persecutors, accusing the august General Assembly of "beastly conduct," and winding up his long and (it must be confessed) rather incoherent defence, by drawing a golden crucifix from his breast and kissing it repeatedly before the scandalized fathers. "What further need have we of witnesses?" was clearly the sentiment of the doctor's judges, while from hundreds of throats came forth such shouts as "shame," "insult," "idol," "down with him," "put him out." The Rev. Mr. Muir ought to have known that a Presbyterian minister must show no reverence for the great symbol of our salvation and deliverance, and must carefully eschew the very un-Presbyterian exclamation of St. Paul: "God forbid that I should glory save in the cross of my Lord Jesus Christ." He is now a poorer if not a wiser man. Principal "Torquemada" Rainey has pronounced the final sentence of his degradation from the ministry of the Free Church. Thus the once popular pastor of Trinity Church has been deprived of all his ecclesiastical emoluments, and in his old age has been flung out upon the world without any visible means of subsistence. And yet our Scottish friends love still to talk of the tyranny of Rome and the glorious privilege of private judgment!

Such is a hurried sketch of the doctrinal chaos into which Presbyterianism has fallen in Scotland—undisguised infidelity amongst a large and influential class of the people, complete indifference in others, and amongst nearly all—the one bond of heretical union, fanatical hatred for the one true Church of Christ. That is the grand outcome of the Scottish Reformation, and the great religious inheritance that has come down through seas of blood to Scotsmen of the present generation.

It must not be understood, however, that the wilderness is without its oases. In Scotland there would seem to be rising up a school of earnest, conscientious, deep-thinking men, keenly alive to the errors and the dangers and the wants of the day. So far these men are staunch Presbyterians, but they are not Romophobists. They do not fling at the Catholic Church the finely flavoured epithets of the old Covenanters and Cameronians. They seem never to have heard of the naughty woman of Babylon, who had been for a couple of centuries the *pièce de resistance* in all Scottish sermons, and never to have laid eyes upon her "scarlet robe." On the contrary, they regard the ancient Church with reverence and veneration, and they are driven by the force of logic to admit that the Church of Rome has never, and could never have been, the wicked idolatrous institution that their fathers had foolishly imagined her to be. Principal Tulloch (if I remember rightly), in the learned lectures on the "Churches of Christendom," delivered some time since in St. Giles," goes even farther than this, and argues, in true, hard, Scottish style that, to dis sever the dissenting Churches of modern times from the ancient Church of the Papacy, were to sap the very foundations of the Christian religion itself.

It is on honest, earnest, sterling men like these that the future of Scotland may be said largely to depend. If honest thought and honest intelligent inquiry are permitted to grow and to expand, a Romeward movement is certain sooner or later to set in, in spite of the blind, stupid, malignant hatred of everything Catholic that still so widely prevails. If, on the other hand, the fiery spirit of the Beggs, and the Storys, and the Grahams, and other vulgar zealots, should gain the ascendant, the result will be that educated, thoughtful people will become sickened with the travesty of Christianity that is set before them; and will fling themselves in despair into the open arms of rationalism and unbelief; whilst the ignorant and the unreflecting will become more fiercely bigoted than ever against Catholic truth, and will regard their fanaticism as a veritable *obsequium Deo*, and indeed as the only *obsequium* that they will feel bound to offer to the Most High. At the present moment it is to be greatly feared that the preponderating movement of the nation is downward, to infidelity or scepticism, instead of upwards and onwards, towards Catholicity and truth.

I meant to devote the second part of this paper to the moral and social results of Presbyterianism, on the Scottish people. I have already, however, so lengthened out my remarks that I feel bound to dispose of the remainder of my subject within as limited a compass as possible. I do not think any one will accuse me of exaggerating when I express the conviction that, the Presbyterianism of the present day at least is an utter failure as far as the masses are concerned. First of all, the people who belong to the artisan and working classes do not go to Church. They do not care for the nasal, monotonous reading, of a chapter from the Bible, which, if they like, they can very well read at home; and the sermon of fifteen points has for the multitude at least fourteen points too many. The shopkeepers and the better classes do go to Church, certainly on the Sabbath, not merely once, but twice, and often thrice. Indeed, during most of the day the streets are lined with pious folk on their way to or from service, all bearing their broad phylacteries in the shape of huge prayer or hymn-books, and all proclaiming, by their smug faces and self-satisfied airs, that ordinary people are not to aspire to their unapproachable perfection.

But there is an unreality and an emptiness about this Kirk-going that is apparent to everybody. It is a mere matter of fashion or conventional propriety, and there the religious motive begins and ends.

As for the masses, I repeat, they are not Church-frequenterers. Scan the Church-goers as you may during all the year round, and you will rarely recognise amongst them an artisan or a labourer. These spend the Sabbath, lying idly in bed, or quaffing the ambrosial "hard ale" of Scotland—a poisonous beverage that combines lowness of price, with a highly valued power of intoxication. By order of the Established Church a partial census of Church-believing people was taken some months ago. The result has just been stated. Out of 1,547,963, "the number of *adults* said to be not in connection with any section of the Christian Church, was 93,624." These, it seems, recognised no minister of religion in the great momentous events of their lives—in their marriages, or in the baptism of their children, or the burial of their dead.

Very curious efforts, however, are made to gather a Sabbath congregation. It is Church against Church, and Chapel against Meeting-House. Whole columns of the Saturday newspapers are occupied with the ecclesiastical

bill of fare for the next day. The theatre pales into insignificance here before the Church, and we have such overpoweringly attractive advertisements as : "To-morrow, at — Church, the Rev. Mr. White on 'The Incidence of the Poor-Rate,' or the Rev. Mr. Red on 'Clouted Shoes,' or the Rev. Mr. Black on 'Vivisection,' " and so on. The masses, however, will not be ensnared even by such catching show-boards as these. They look upon the whole thing as vanity, and (if I may quote the "Revised Version") "A striving after wind"—or after the raising of it. Nevertheless, Sabbatarianism, no one needs be told, in the sense of complete abstention from any sort of labour or recreation, is a peculiarly Scotch institution. Not long ago it was a police offence to whistle in the street or to play the piano in one's house, or indeed to do anything except walk demurely to Kirk on the Sunday. Some short time since, an unfortunate candidate for parliamentary honours was most severely "heckled" on the hustings for having once travelled by train on the Sabbath Day. In vain did he plead that his doing so was an act of piety—to assist at a parent's funeral. It was to no purpose. The dead should bury the dead, and he should observe the Lord's Sabbath. About the same date a minister was peremptorily rejected by a congregation, because many years before, he had been known to take a walk into the country on the Sabbath. He was a poor, dyspeptic man, all knew, that needed bodily exercise, but yet the sin was there, and could neither be atoned for nor palliated.

This Sabbatarianism is undoubtedly one of the ugliest aspects of Scottish Presbyterianism. It is invested with such an amount of deceit and duplicity and hypocrisy ! On the Sabbath you may drink or swear, or cheat, or do worse, provided you do not stretch your limbs for a brisk walk, or go out into the country to breathe the pure air of heaven ! We all know the history of the Glasgow Sabbatarian bankers, and how scrupulously these venerable elders observed the Lord's Day, whilst their robber hands were thrust deep into the pockets of the widow and orphan.

Another religious institution of Scotland—more honoured in the breach than the observance—is "Fast Days." These days were originally set aside for "self-examination" and for partaking of the Lord's Supper (which by the way your independent Presbyterian always partakes of *seated* on his own bench). As a matter of fact the "Fast Days" have become days of universal debauchery

and drunkenness and dissipation. In the evenings, if you have the courage to traverse the streets, you will find between fifty and eighty per cent. of those whom you meet hopelessly intoxicated. These "Fast Days" were intended, it seems, to supplant the Christian festivals of Christmas, Easter, and so on (for in Presbyterian Scotland there is no recognition of such solemnities). The Fast Days—many are now beginning to see—are a failure, and in Glasgow and other places they have happily been abolished. The abolition will certainly not injure Christian morality, even though it may detract somewhat from Presbyterian prestige.

Over the social immorality of Presbyterian Scotland it is as well perhaps to cast a veil. Only one or two remarks on the nauseous subject. In the annual birthrate, the proportion of illegitimate births goes up in some shires as high as 15 per cent., and in this percentage are not included the very large number of children born in actual wedlock though very soon after marriage. What is implied is easily understood north of the Tweed. It is better for decency's sake not to pursue the subject, but rest content with the remark that here as in matters of doctrine, Presbyterianism "is known by its fruits." But one further word. It is a quotation from a committee report to the recent General Assembly of the Established Church: "The statistics of illegitimacy in rural parishes were appalling: the view of the relation of the sexes was said to be low; and no worthier object could be set before the national Church, her ministers and elders and members, than the removal of this stain from Scotland." Out of her own mouth comes the "Church's" condemnation.

It is sad—indescribably sad—to contemplate this gloomy picture of Scotland—Scotland that was blessed with the prayers and watered with the tears and cultivated by the hands of St. Columbkille and his colony of Irish saints—Scotland that was ennobled by the valour and the chivalry of Wallace and the Bruces: that was sweetened by the gentle life of St. Margaret, and that possesses such a store of pathetic remembrances in the sufferings and the loveliness and the heroism of Mary Stuart. But, as has been intimated, the cloud has its silver lining. The dark reign of malignant bigotry and religious rancour is on the wane. Sooner or later the great struggle will be fought out in Scotland as in many other kingdoms—a struggle not of sect against sect, or Church against Church, or

Protestant against Catholic, but of rationalism against all-revealed truth. "Rome and Unbelief," writes a distinguished author, "are the two vortices round which and into which all other modes of opinion are visibly edging in more or less quickening circles." God grant that when this supreme strife is over and the smoke of battle cleared away, Scotland may be found once more resting in the bosom of the Church of her fathers; and that the speck of blue which now peeps through her still lowering skies may deepen and broaden until the whole land is bathed once more in the sunshine of Catholic faith and truth.

M. F. SHINNORS, O.M.I.

CHARLES O'CONOR OF BELINAGARE.—VI.

DR. O'RORKE, BISHOP OF KILLALA.

PERSECUTION provided young O'Connor with an accomplished teacher to perfect whatever knowledge he had hitherto been able to acquire, and guide him to higher and wider levels of intellectual culture. Here we have an illustration of the wonderful ways of Providence. Out of the most malignant evil devised by man, it still can bring forth good. He to whom the Catholic people of Ireland owe so much, who, by his patriotic labours and writings in after years, was to open the eyes of Protestants themselves to the infamy of their Penal Code, and bear a chief part in rousing his Catholic fellow-countrymen from their hopeless lethargy of years, owed in a great measure his education and power for good to the very operation of those impious laws.

We have already seen¹ that the mother of Charles O'Connor was Mary O'Rorke of the princely house of Breifny. Her brother, the Rev. Thadeus O'Rorke, became known to Prince Eugene, the hero of his age, at Vienna, as the son of Captain Tiernan O'Rorke, whose gallantry and fall on the field of Luzzara he had himself witnessed. The Prince appointed Father O'Rorke, his Chaplain and Private Secretary. His learning, virtue, and commendable life

¹ I. E. RECORD (Third Series), vol. v., p. 239.

soon pointed him out as one worthy to fill a vacant place in the ranks of the episcopacy of his native land. That sacred and elevated dignity was an office then to be accepted only by one prepared to undergo the labours of a confessor, and to receive at any moment the crown of a martyr. But at the call of religion and country the true Irish priest did not hesitate to sacrifice his honourable place in the Imperial Court, and the friendship and favour of the most famous man of his time, to live laborious days, hourly in danger of death, and bury for ever his great learning and accomplishments amid the bogs of Connaught. O'Donovan¹ traces the descent of The O'Rorkes, as given in the Books of Lecan and Ballymote, from Duach Galach, son of Brian, king of Connaught, son of Eochy Moymedon, monarch of Ireland in the fourth century. They took their family name from Ruairc, son of Tiernan, whose death is recorded in the year 893. They were anciently kings of Connaught, but when the O'Conors rose to supremacy, they became chieftains of Breifny. Subsequently the O'Reillys became independent of the O'Rorkes and lords of East Breifny, the present county of Cavan, while the O'Rorkes remained chiefs of West Breifny, the present county of Leitrim, which principality they held from the fifth to the seventeenth century.² Their history and achievements occupy a large space in the ancient annals of Ireland.

This gallant race, the last that held out against the power of England, was ever true to religion as to country. We have already alluded to the Franciscan Convent of Creevelea,³ so beautifully situated near Dromahaire, founded and endowed by the O'Rorkes. Brian na Murtha O'Rorke, when led to execution in London, spurned the proffered spiritual aid of the apostate Magrath, and died with the profession of Catholic Faith on his lips. Nor was he the only martyr of his race in Elizabeth's reign. Conagh O'Rorke, eldest son of Brian, Prince of Breifny, despising the pleasures of the world assumed the poor habit of St. Francis. When Patrick O'Hely, a native of Connaught, also a Franciscan, whose profound learning had won him distinguished applause at Alcalá, Rome, and Paris, was consecrated Bishop of Mayo by order of Pope Gregory XIII., Father O'Rorke was appointed to accompany him to

¹ "Annals of the Four Masters," vol. i., p. 550, note n.

² Charles O'Conor's *Dissertations on the Ancient History of Ireland*, p. 233.

³ *I. E. RECORD*, vol. v., p. 788, December, 1884.

Ireland. On landing they were immediately seized and brought before Sir Hugh Drury, Lord Justice, at Kilkenny. They confessed that they were Franciscan priests, and O'Hely that he was Bishop of Mayo, sent by His Holiness to guide and instruct the flock committed to his charge. On this confession they were condemned to death by Drury. They were scourged until their bodies were bruised and livid. Sharp iron spikes and needles were driven between the nail and flesh. They were tortured to the last extremity. They bore all their sufferings patiently for the love of Christ, mutually exhorting each other to perseverance. They suffered martyrdom on the 22nd of August, 1578.¹

In later years Brian O'Rorke, whose father had been executed by Queen Elizabeth, bore a distinguished part in the defeat of the English army under Sir Conyers Clifford, at the battle of the Curlews, in the neighbourhood of Boyle. In his hospitable halls of Dromahaire, O'Sullivan Beare and the remnant of his gallant Four Hundred found joyous welcome, care, and rest, at the end of their memorable retreat from Glengariffe to Breifny. He died in 1606. The wardship of his eldest son Brian, a minor, was committed to the Earl of Clanrickard, who sent him to Oxford. He was afterwards brought before the Privy Council in London, and refusing to submit to the plantation of his territory there proposed, was cast into the Tower, where he died after an imprisonment of upwards of thirty years. His heir, Hugh O'Rorke, was chief of Breifny in 1684. The last of the line of historic note was Count Owen O'Rorke, who distinguished himself in the Imperial and French service in the last century, and died in London in 1785. The territory of Breifny had been long before parcelled out between Villiers, Duke of Buckingham, and the Hamiltons.

Father O'Rorke was consecrated Bishop of Killala, in the year 1707.² Prince Eugene, as a mark of the high esteem in which he held him, presented him with a gold cross and

¹ For an account of these holy martyrs, see the *Renehan Collections*, vol. i., p. 388, note.

² The Rev. Maziere Brady, in the succession of the Bishops of Killala, gives "Thadeus O'Rorke, 1740-1742;" but there is manifestly an error here. Thadeus Francis O'Rorke, a friar of the Minor Observance, was appointed by Propaganda, February, 1707. He was consecrated in 1707, on the 24th of August, by Patrick Donnelly, Bishop of Dromore. The See was long vacant before this.

ring set in diamonds, which Dr. C. O'Connor, writing in 1796, states were then in his possession. He also introduced him to the Emperor Leopold, who gave him strong private letters of recommendation to Queen Anne, and a passport written on parchment signed by the Emperor himself, and sealed with the great seal of the Empire, recommending him to all his allies, which Dr. O'Connor tells us, was also in his possession. These warm commendations and marks of imperial favour enabled him to obtain a gracious audience from Queen Anne, and letters from her to some of the leading English nobility and rulers in Ireland. But not even the letters and good-will of the Queen could save him from the furious hatred of the Cromwellian and Williamite planters and their myrmidons, to whom the execution of the "laws against Popery" was entrusted, goaded on as they were, if at any time they seemed to relax in zeal in the glorious work of hunting down unarmed priests, by resolution after resolution of their Parliament. For Popish schoolmasters, Popish priests, and above all, Popish bishops, there was then no place of safety in Ireland. The birds of the air had their nests, the foxes their dens, but they, like their Divine Master, knew not where they might lay their heads. All archbishops, bishops, vicars, deans, jesuits, friars of every description, and all papists exercising ecclesiastical jurisdiction¹ had been required to quit the kingdom on or before the 1st of May, 1698, under penalty of transportation. If they returned they were deemed guilty of high treason, and were liable to be hanged, drawn, and quartered. Harboursing or concealing them was punishable by a fine of £20 for the first offence, £40 for the second, and forfeiture of goods and chattels for the third, half of which amount was to be given to the informer, the remainder forfeited to the crown. Justices of Peace and other officers on whom the execution of this statute devolved, had to render an account of its enforcement at the quarter sessions of their respective counties. If it was shown that they were negligent herein, they were to be punished for each such negligence by a fine of £100, half of which went to the informer and half to the crown, and deprived of their office for ever.²

¹ Parish Priests are not considered to exercise ecclesiastical jurisdiction, that is in *Foro contentioso*, unless they are Vicars-General, or at least Vicars Forane, who are also called Rural Deans, because they usually preside over a territory of ten parishes. "*Hibernia Dominicana*," p. 155, note b.

² 7th William III., c. 26.

At this time, according to Captain South's account, the number of regulars amounted to 495, and of seculars to 892. The number of regulars shipped off in 1698, to foreign parts, was 424. Hunted from their retreats by the priest-catchers, those faithful dispensers of the mysteries of God were driven to Dublin, Cork, and Galway, the ports appointed for embarkation. They were forced to leave at length the hiding places in wood and cave, on mountain and moor, hallowed by the holiest rites of religion, and the memories of sufferings endured for the Faith, the persecuted people for whom they, like so many of their fellow priests, were ready, if allowed, to lay down their lives, the land of their birth and of their love, deprived now, which grieved them most, of their ministry, left a prey to the ravening wolves of heresy. Many who escaped for a time and were afterwards apprehended, were cast into prison, loaded with irons, there to perish or survive till the time of their transportation. A few worn out with age and infirmities retired to the most secret hiding places, or obtained from generous Protestants concealment and protection from their merciless persecutors: "Hisce de causis," writes De Burgo, "Fratres Praedicatores (ut nihil dicam de aliis Regularibus, vel de Antistitibus) aut spontaneo se dedere exilio, aut vi transmissi, seu ut vulgo loquimur, *transportati* fuere, paucissimis in regno manentibus, qui scilicet prae senio vel infirma valetudine, discedere haud valuere, eligentes potius se abscondere in speluncis, aut cavernis terrae, aut in aedibus fortasse Protestantium benevolorum, de quibus nequaquam erat suspicio. Nulla tamen religiosa domus in universo, quae late patet, regno, haud suppressa evasit."¹

Although the secular clergy not exercising ecclesiastical jurisdiction were still tolerated in the kingdom, an Act was passed in 1703, by which their number was strictly limited, and by means of which they would be entirely in the power of the Government. It was enjoined that all Popish priests then in the kingdom should, at the general quarter sessions in each county, register their names and places of abode, their ages, the parishes "of which they pretend to be Popish priests," the time and place of ordination, the names of the bishops who ordained them, and give security for their constant residence in their respective districts; otherwise they should be "esteemed as Popish

¹ "Hibernia Dominicana," p. 155.

regular clergymen, and prosecuted as such," that is to say, punished by imprisonment and transportation; and if they should return, deemed guilty of high treason. By the same statute it was enacted that "No Popish parish priest shall keep or have any Popish curate, assistant, or coadjutor." By means of the evidence procured under this Act, it was hoped to carry out more effectually another passed soon after, for the total expulsion of all priests. Registries were opened in conformity with this Act, and 1,080 priests registered their names.² Another statute³ enacted that all priests found in the kingdom, and who had not been registered, should be liable to imprisonment and transportation, and to the penalties of high treason in case of return. The concealment or relief of such priests was made liable to such penalties and forfeitures as were imposed by the 9th of William III. Each succeeding Session of Parliament added new Acts to the hitherto undreamt of barbarity of this nefarious system of persecution, which reflects as much infamy on the English Government and nation, as on the Colonial Parliament and oligarchy in Ireland. It was soon found that braving danger and death many of the transported bishops were returning to their flocks, left "as sheep without a shepherd when the snow shut out the sky." To continue the succession of the priesthood, to confirm the children, to encourage and console the oppressed and persecuted people, and keep them steadfast in the Faith, they freely ran the risk of the dungeon and the gibbet, like those who had preceded them. Accordingly we find the Commons resolving, "that several Popish bishops had lately come into the kingdom, and exercised ecclesiastical jurisdiction within the same, and continued the succession of the Romish priesthood, by ordaining great numbers of Popish clergymen, and that their return was owing to defect in the laws." These distinguished legislators, therefore, set themselves to devise yet more laws against "such dangerous persons as still remained amongst them." By the Explanatory Statute,⁴

¹ 2nd Anne, ch. vii.

² This "Act for Registering the Popish clergy," and the "List of the names of the Popish parish priests, as they are Register'd" at General Sessions of the Peace, have been published by Dr. Walsh of Maynooth, now His Grace the Archbishop of Dublin, from the original copies issued from the office of the Queen's Printer in Ireland, in the I. E. RECORD (Second Series), vol. xii., Nos. 138, et. seq.

³ 4th Anne, ch. ii.

⁴ 8th Anne, ch. iii.

all priests who by the Registry Bill had been entrapped into registering their names, under the delusive hope of being thus allowed to exercise their ministry in peace, were ordered to take the oath of abjuration on or before the 23rd of March, 1710, under the penalties of transportation for life, and of high treason, if ever after found in the country. By this oath they were required to swear that "no foreign prince, person, prelate, state, or potentate hath or ought to have any jurisdiction, power, superiority, pre-eminence, or authority ecclesiastical or spiritual within this realm."¹ These persecuted and betrayed priests hesitated not. They preferred exile or death to apostacy. Of the 1,080 registered priests, only 33 took this false oath. As De Burgo² observes, there was henceforth no distinction on the part of the Government between seculars and regulars. All priests within the kingdom, except the 33 who had taken the oath, were subject to transportation or death. Notwithstanding all these cruel laws, many of the registered priests, who had refused to take the oath, remained in the country.³ The regulars also, who had been driven into exile in 1698, were gradually returning to minister to the faithful. It was therefore enacted that £50 was to be given for the discovery and conviction of each archbishop, bishop, vicar-general, or any other person exercising ecclesiastical jurisdiction; and £20 for the apprehension and conviction of every regular, and every secular clergyman not legally registered, that is to say, who had not taken the oath of abjuration.⁴

By these Acts the detestable race of priest-hunters and priest-catchers was generated in Ireland. Many of them amassed great wealth by bills of discovery against Papists, and the capture and conviction of priests. These infamous wretches were indeed execrated by all honest men, Protestant as well as Catholic. When one of them became known as such, he could no longer appear in public with safety to his life. De Burgo tells us that he had himself, when a boy, often seen the mob, Protestant and Catholic, assailing them with sticks and stones. But we must remember that this infamous profession was patronised and rewarded by the Government. To remove the brand of infamy from the trade, the Commons resolved, "that the

¹ It is almost needless to remark that this Statute is a direct violation of the Treaty of Limerick.

² "*Hibernia Dominicana*," p. 157.

³ *Ibid.*

⁴ Anno 1709, 8th Anne.

prosecuting and informing against papists was an honourable service." Hence, as De Burgo tells us, there were not wanting detestable men, who seized secular and regular priests indiscriminately, cast them into prison, and received the prescribed reward for every one who was proved to have discharged any priestly function. He declares that he himself knew many of those priests, who after a long imprisonment, were transported, some of whom survived when he wrote.¹ Eager for blood-money, with some Orange magistrate or landlord, whose creed was hatred of papists, as their master, accompanied by bands of soldiers, the priest-hounds hunted God's ministers night and day. A race of men whose love of money and hatred of Christianity peculiarly fitted them for the work, were employed to chase priests out of their hiding places, and drag them from their lurking holes. These agents of persecution, mostly foreign Jews, assumed the garb of priests, and went through the ceremonies of the Catholic religion. They thus wormed themselves into the confidence of the unwary, from whom they learned the names and haunts of concealed priests. Thus the clergy were tracked to their most secret retreats, and dragged sometimes from the very altar, robed in their sacred vestments, before tribunals which sentenced them to perpetual banishment. De Burgo relates, that he well remembered how, in 1718, a Portuguese Jew named Garzia, one of the most active of these blood-hounds, pretending to be a priest in order to discover the retreats of the clergy, captured seven of them in Dublin. One of these was Father Anthony Maguire, Provincial of the Dominicans, two were Jesuits, one a Franciscan, and the remaining three seculars. They were transported, never to return under penalty of death. Nevertheless they all returned under assumed names.²

Well may we wonder that the whole order of the priesthood, and the very name of Catholic were not extirpated from the island. Of that miraculous preservation of the Faith we can only say : the hand of God is here, and it is wonderful. We must not, at the same time, lose sight of the fact, vouched for by the highest authorities on the subject, from Edmund Burke to John Mitchell, that the Penal Code was an engine of robbery rather than of perversion. As Mitchell no less truly than pithily observes : "The object of the ascendancy was not so much to convert

¹ Hib. Dom., p. 158.² "Hibernia Dominicana," pp. 160, 161.

Catholics to Protestants, as to convert the goods of Catholics to Protestant use." This consideration degrades the authors of the "Popery Laws" below the vilest fanatics of whom history has record. There was always a kind of toleration of Catholic worship, so that it might barely be said to exist, and that there might always be Papists to plunder. The Code was an efficacious means of reducing to impotence the ancient and rightful owners of the soil, and rendering it impossible for them to disturb the new possessors, conscious in many instances of the injustice of their titles, even under the existing laws. It was an easy way to procure wealth, to allow Papists to toil for a time, and then acquire their property by the very ready method of discovery. It was pleasant to have at hand "beasts of burden or of chase," for labour or amusement. To some natures it was agreeable to be able to indulge feelings of hatred and revenge, without fear of reprisal, and trample at will on the fallen. It was enjoyable, cat-like, to play with the crushed and wounded mouse, which could not escape, and might at any moment be killed out-right. "From what I have observed," wrote Edmund Burke, "it is pride, arrogance, a spirit of domination, and not a bigoted spirit of religion, that has caused and kept up those oppressive statutes. I am sure I have known those who have oppressed Papists in their civil rights, exceedingly indulgent to them in their religious ceremonies; and who wished them to continue in order to furnish pretences for oppression, and who never saw a man by conforming escape out of their power, but with grudging and regret. I have known men, to whom I am not uncharitable in saying, though they are dead, that they would become Papists in order to oppress Protestants, if being Protestants it was not in their power to oppress Papists. It is injustice and not a mistaken conscience that has been the principle of persecution, at least as far as it has fallen under my observation."

Furnished, therefore, though he was with letters from the Queen, Dr. O'Rorke soon found that they afforded him little or no protection against the furious hatred entertained for Popish priests, and the insatiable greed of Popish property. The moment he arrived in his diocese he found himself dogged as a Popish emissary. He therefore changed his name to that of Fitzgerald; wandered for some years among the wilds and bogs of the Joyce country, discharging his Episcopal functions by stealth, as opportunity offered, and was at last obliged to take refuge with his relatives in the

solitudes of Belinagare. From this he dated his letters to his clergy "*Ex loco nostri refugii.*" Dr. C. O'Connor retained the original of a letter written by the hunted bishop to a friend in Rome, in which he says that a Catholic trembled at the idea of writing a letter, and that he risked his life by posting a letter for Rome, though it regarded only his pastoral care and spiritual concerns.

To this revered and illustrious uncle, a man of great learning, young O'Connor owed more exact and extensive intellectual culture, an enlarged plan of studies, that wider range of knowledge which the bishop's foreign travels and experience qualified him to impart. We are told that he required his pupil to copy the most beautiful passages from the best English authors; to translate the Classics into chaste English; to commit to memory select passages from the most approved writers, ancient and modern. He has left as proofs of his industry under such competent teaching a translation into English of the Conspiracy of Cataline and the Jugurthine War. It may be remarked here, that the result of this copying out and committing of select passages, was a style somewhat stiff and pedantic, much more resembling the stately and sonorous periods of his correspondent, Dr. Samuel Johnson, than the inimitable grace and simple elegance of his countryman and contemporary, Dr. Oliver Goldsmith. It would probably have surprised Charles O'Connor not a little, if anyone were to tell him that, in a hundred years, "*The Rambler,*" and "*Rasselas,*" and "*The Vanity of Human Wishes,*" would have gone "to sleep with the sunshine of fame on their slumbers;" while the Essays, "*The Vicar of Wakefield,*" "*The Traveller,*" "*The Deserted Village,*" to be written by an awkward-looking boy whom he must have often seen and spoken to at Contraine's, his neighbour and intimate friend, retaining always their freshness and beauty, the circle of their readers widening with time, would form the instruction of the young and the delight of the old.

The bishop did not allow his young scholar to neglect the study of the Irish language. He requested him on one occasion to write to a friend in Vienna, a description of the sufferings of the Irish race in their own land. The young man produced a very moving picture of the miseries of his country, and he said that he would now write no more in Irish since he had done so well in English. "No," said Dr. O'Rorke, "what you have once learned, you must never forget, and you shall not go to rest until you have

translated the psalm *Miserere* into Irish." The youth set to work and succeeded so well that Dr. C. O'Connor considers his translation superior to Bedel's or any he ever saw. It pleased the bishop so much that he read it for the guests assembled that night in the hospitable house of Denis O'Connor. Amongst them was the famous Carolan the Blind, the last of the Bards. On hearing the Gaelic version read in a solemn and affecting voice, he was overcome with emotion and burst into a flood of tears. He seized his harp, and in a fit of rapturous affection for the family of Belinagare, swept along the strings his "Donagh Cahil Oig," and sung, *extempore*, the fall of the Milesian race, the hospitality of old Denis O'Connor, who in the midst of troubles and calamities, harboured that very night in his house a crowd of reduced gentlemen, and hired a number of harpers to strike up a solemn concert at Midnight Mass (for it was Christmas Eve), and a dancing master, a fencing master, and an Irish master for the instruction and polite education of his children.¹ It is worthy of note that Dr. O'Rorke, as Dr. C. O'Connor tells us, gave Charles O'Connor, "The Annals of the Four Masters," of which Colonel O'Gara, who commanded a regiment under James II., had made the bishop a present. This is the celebrated autograph original of the Stowe Library, now, we presume, in the Royal Irish Academy.

C. O'Connor continued his studies for two years under the guidance of his uncle, Dr. O'Rorke. His knowledge of Irish was perfected by the instruction of Carolan and Father Dignan. In 1727, when about seventeen years of age, he went to Dublin, where he made great progress in mathematics and natural philosophy, under the tuition of the Rev. Walter Skelton, a Catholic priest.

In 1732 a proclamation was issued against the Catholic clergy, and persecution raged fiercely for a time. Bishop O'Rorke was forced to fly from Belinagare, where his retreat had become known. No priest then remained in that country but one very old man, Father Prendergast. At day-dawn every Sunday he crept into a cave in the parish of Baslick, and waited there for his congregation, to offer for them the Holy Sacrifice, and preach to them patience in their sufferings, unfaltering adherence to the ancient Faith, resignation to the will of Heaven, pardon of their persecutors, and prayers for their conversion. This cave is called *Poll-an-Aiffrin*, or Mass-Cave, to this day, and

¹ Memoir of C. O'Connor, by Rev. C. O'Connor, D.D.

remains an enduring monument of the Faith and piety of our people.

In 1734 Dr. O'Rorke returned to Belinagare, where he died, probably in 1742, of a complication of diseases, contracted by the hardships which he had undergone, sleeping in the open air or in wretched hovels among the bogs and marshes of Connemara. He was interred within the consecrated precincts of Creevelea, the foundation of his family, and the "sacred storehouse of his ancestors." His tomb has been recently discovered there with the following epitaph:—

"Here lieth ye body of Thady O'Rorke
Bishop af Killala who departed this life
March ye 2nd 1739¹ aged 76.
Filius atque regis princeps Thadeus triumphis²
Regna petens coeli despiciensque soli."

J. J. KELLY.

THEOLOGICAL NOTES.

FULMINATION IN FORO INTERNO.

HERE the delegate must be in possession of the necessary powers before acting. But how is he to have them? Will an oral commission suffice, or must a written document, containing the special faculties, have come into his hands? The question occasions scarcely any difficulty in connection with Papal dispensations. Commissions from Rome are, by a rule of the Apostolic

¹ Regarding the date 1739, it may be observed that we find in the Supplement to the *Hibernia Dominicana*, that Benedict XIV. addressed a brief, dated 31st of October, 1742, to Michael O'Gara, Archbishop of Tuam, Peter O'Donohoe, Bishop of Clonfert, and Thadeus O'Rorke, Bishop of Killala. We learn from the same work, p. 506, that Father John Brett was appointed Bishop of Killala by the same Pontiff, and was consecrated in Rome on the 8th of September, 1743. He proceeded at once to his See, over which he presided until 1748, in which year he was translated to Elphin. The tomb of Bishop O'Rorke was restored by the Rev. Cormack McSharry, P.P., in 1883.

² For a copy of this epitaph and other information regarding Dr. O'Rorke, we are indebted to the kindness and courtesy of the Rev. C. P. Meehan, M.R.I.A., of whose life-long devotion and invaluable services to Irish historical studies it would be superfluous and presumptuous here to speak.

Chancery,¹ in writing.—“Nulli suffragetur dispensatio nisi litteris confectis.” And we have already seen that the delegates in such cases cannot act before the original itself of the mandate is presented. Still it is right to add that in the opinion of some, the Chancery rule, just quoted, applies to the external *forum* alone.²

With these few words let us pass to Episcopal dispensations. At first sight it might appear strange to make any distinction between them and those which come from the Holy See. For, are not Bishops expected to conform to the practice of the Roman Courts? Yes, in the exercise of their delegated faculties, unless so far as we may have good grounds for holding that conformity in every detail is not exacted. All,³ of course, are agreed about the inconvenience in ordinary circumstances of giving commissions to dispense otherwise than in writing. But occasionally a case may occur of such urgency that a prelate will deem it best to use his power in the way that will be of earliest benefit to those concerned. Such emergencies may, indeed, generally be met by telegraphing, not a mandate to dispense, but news that the favour has been actually granted. This, however, supposes the case to have been satisfactorily sifted beforehand. It does not, therefore, suffice for one in which something further remains to be investigated and explained before fulmination becomes allowable. Now it is just for a contingency of this kind in particular, that bishops, instead of dispensing immediately themselves, send commissions to their priests to examine the circumstances and fulminate a dispensation if everything required be present. Let us keep the point at issue in view. We are not as yet speaking of the *form* which the act of fulmination should take. We here look only to the *form* in which the delegate must receive his mandate. And although this paper is concerned with the *forum internum*, it seems right not to forget the *forum externum* until we pass from the present difficulty.

Well, a few authors hold that a delegate can act validly on an oral commission even for the *external forum*. Why require writing, they say, unless it be made a *sine qua non* in the indult? Again, oral dispensations, or mandates to dispense, are stated to be customary in certain districts.

¹ Brilland—*Traité Pratique des Empêchements et des Dispenses de Mariage*. p. 192, n. 220.

² *Ibid.* Ibid, p. 193.

³ Planchard, pp. 233-4, n. 543.

To us such practice seems very unsafe, unless it be known to the Holy See, or of long standing.

On the other hand, although there is some authority on the opposite side, the delegate *in foro interno* does not seem to require a written commission under pain of invalidity. Even for Papal dispensations the necessity of their being consigned to writing before the "commissionaries" can act validly, is not altogether certain. Besides, oral commissions *pro foro interno* are undoubtedly common enough in a variety of Episcopal *Curiae*. But most of all the bishop himself can dispense orally, and there does not appear any sufficient reason for holding that when instead of doing so he merely gives a commission to some other, he must therefore resort to pen and ink under pain of nullity. As Planchard, speaking of indulgences, has it:—

"Comme il ne doit pas rester de traces de la dispense d'un emprehement occulte, les auteurs admettent que l'ordinaire pourrait, a la rigueur, dispenser ou déléguer a vive voix."

What is true of commissions given in virtue of Indulgences for the internal forum is, *a fortiori*, certain for those communicated on the strength of quasi-ordinary power. Oral delegation in those cases, when the Bishop so wills, undoubtedly¹ suffices to secure valid fulmination.

The act itself of fulmination *in foro interno* next claims attention. It usually takes place in *tribunali*.² This, however, is not necessary unless required by the dispensing power.³ The Holy See, as a rule, does insist on it in commissioning priests to dispense. So do Bishops; indeed with them it frequently is not optional to act otherwise. For it often happens that an Indulgence which permits a Bishop or Vicar-General to dispense *extra tribunale* is so worded that the delegate of one or other must act in the confessional. Of course the absence of a limitation clause is enough to leave the Ordinary free to use his own discretion.

Though not of itself strict precept, it is always well to conduct the process in writing, if it is gone through *extra tribunale*.² In *foro poenitentiae* everything is done *viva voce*, but the confessor, provided he keeps it to himself, is free to read from a written sheet.⁴ To hand the document to penitent is forbidden, just as the mandate itself cannot be similarly delivered without a grave dereliction of duty.

¹ Planchard n. 540.

² Id *ibid.*

³ Feije, n. 756.

⁴ Feije, n. 757.

It is to be observed, however, that the clause, "Quod si restitueris, nihil ipsi praesentes literae suffragentur," does not make the dispensation invalid in the supposition of the mandate being given away. No; the sentence refers to the *forum externum* in which, as it conveys, no such document will be received as proof of a valid union. For in this, as in other cases of an impediment, which had been renewed *in foro externo* on becoming public, a new dispensation is required for the external forum.¹

It is not enough for the confessor to abstain from giving away the mandate empowering him to dispense. "Sed praesentibus laniatis, quas sub poena excommunicationis latae sententiae laniare tenearis, ita ut nullum earum exemplum extet;" or the clause: "Praesentibus sub poena excommunicationis a te combustis vel laniatis," reminds him of his obligation to entirely destroy it. This should be done immediately after fulmination. By common² consent, however, a space of three days is allowed before incurring the penalty. Although tearing through the seal will suffice, burning is preferable. There is no law against making out a copy of the document for study. But obvious reasons will suggest the propriety of omitting the date.

Sometimes³ the S. Penitentiary leaves out the word "*laceratis*," thereby indicating that destruction is not required. For instance, if a confessor explained that two persons, generally supposed to be man and wife, were invalidly united, because of secret clandestinity and some other impediment, the aforesaid Tribunal would probably send two documents, one to the confessor containing the word "*laceratis*," the other to the parish priest without it, and intimating that after private renewal of consent *in forma Tridentina*, he should enter the celebration *in libro Matrimoniorum (secretorum)*. It makes matters less difficult in this complicated case if the same person be parish priest and confessor. In any event the strictest secrecy⁴ is of obligation.

If an impediment affects only one of the parties, fulmination is not required for the other. Where common to both, fulmination *in utramque partem* becomes necessary if both are culpable in inducing it. But when either is innocent in this respect, the process need not be gone

¹ Planchard, p. 178, n. 406.

² Cf. Auctores passim.

³ Feije, pp. 751, 752.

⁴ Id. n. 757; Van de Burght, p. 73.

through for the *guiltless* person, whether that individual be conscious or unconscious of the existence of the impediment. Accordingly, the only case in which fulmination for both is prescribed, arises when the impediment has been contracted *through* the sin of both. But why require it even in this hypothesis? Does not such an impediment cease for the two *when* it ceases for one?

The following answer¹ of the Penitentiary in 1748 shows how fulmination in *utramque partem* is required not so much by way of something essential to validity as to prevent either delinquent from escaping "*Poenitentiae salutares utrique imponendae.*" The decree is important for another reason. It lays down clearly the course to follow when the petitioners seek the ministrations of different confessors. The first, after fulmination, hands the mandate back to his penitent, with instructions to deliver it to the other party. From the latter's hands it passes to the second confessor, who will likewise fulminate and then destroy the document:

"S. Poenitentiaria ad propositum dubium circa executionem literarum suarum, quibus committitur facultas dispensandi super occulto matrimonii impedimento cum duobus ejusdem impedimenti consciis respondet, quod quamvis hujusmodi literae dirigantur confessario per latores eligendo, necessarium tamen non est, quod unus idemque confessarius ab utroque eligatur ad eas literas exequendas: Sed potest unus confessarius ab uno ad id eligi, alter ab altero. Tunc autem prius confessarius post dispensationem uni ad formam literarum concessam debet literas Sacrae Poenitentiariae poenitenti tradere, ut per illum alteri parti tradantur, quae similiter easdem literas secum exsequi faciat per alium confessarium, cujus erit in hujusmodo casu, confecto negotio, literas lacerare. Et quamvis impedimentum ejusmodi esse soleat, ut sublatum quoad unum maneat et ipso sublatum quoad alterum, nihilominus mens Sacrae Poenitentiariae est, ut erga utramque personam literae executioni mandentur, sin minus ad auferendum impedimentum, quod per priorem cum una dispensationem jam ablatum praesupponitur, saltem ad congruas poenitentias salutares utrique imponendas, quas non convenit ab uno tantum exigi, ubi communis est culpa."

Should a confessor foresee some serious difficulty in the way of double fulmination, he ought to state the fact in his petition. Besides, it is to be remembered, although a single process will suffice, unless where the fault is common,

¹ In nearly all modern works on the subject.

it does not follow that there is no necessity for renewing consent *ex utraque parte*. If there be question of contracting marriage for the first time, the person who was not responsible for the impediment but knew of its existence, should be apprised of its removal. There is more difficulty about a supervening impediment. A *dispensatio in radice* cannot be always expected; and a simple dispensation, even where the obstacle affects only one of the parties and needs to be removed from the way of that person alone, the other two must render consent "*post certiorationem*," at least "*in quantum fieri possit*." This, however, is not to our present purpose, except so far as it shows that the absence of any necessity to repeat fulmination does not imply that *certioratio* and renewal of consent can be dispensed with.

There is some variety in the forms, according as the dispensation is *simple* or *in radice*, and as it is communicated *in* or *extra tribunale*. It may be useful to go through them separately:—

Ego auctoritate a SS^{mo}. D. N. . . . (or, ab Ill^{mo}. et Rev^{mo}. Episcopo . . .) mihi specialiter delegata, te absolvo ab omnibus sententiis, poenis et censuris ecclesiasticis in ordine ad praesentem gratiam valide consequendam (et pariter eadem auctoritate te absolvo a reatu incestus) atque dispenso tecum super impedimento (impedimentis) . . . , ut valide et licite matrimonium cum dicta muliere, servata forma Concilii Tridentini, et in eodem postmodum remanere valeas. Insuper prolem suscipiendam (or, susceptam et suscipiendam) legitimam fore (or, esse et fore), nuntio et declaro. In nomine Patris, et Filii, et Spiritus Sancti. Amen.¹

This is the form *extra tribunale* for simple dispensations. As above stated, writing is most desirable. And although the person concerned *per se* need not be present, the delegate will give effect with greatest ease to his commission by having that individual before him. When executing a dispensation at one and the same time for two persons, the plural number is easily substituted. Also, if marriage has been already contracted, the words "*de novo*" are now inserted, and reference to the Council of Trent omitted, as private renewal of consent will suffice.

But these points are chiefly important *in tribunali confessionis*. The great majority of commissions *pro foro interno* must there receive execution. Accordingly the

¹ Van de Burgt, p. 72.

form above given is not used as it stands, unless when sacramental absolution is deferred, and the dispensation granted notwithstanding. In ordinary circumstances, that is, when absolution from sins is conferred, the confessor will rely upon the usual sacramental form¹ for removing any special censures or guilt; and immediately after absolving *a peccatis*, he will proceed:—

Insuper² auctoritate Apostolica (or, per episcopum accepta), mihi specialiter delegata dispenso tecum super impedimento . . . ut eo non obstante, matrimonium cum dicta muliere (dicto viro), servata forma Concilii Tridentini (or, de novo contrahere) et in eo permanere libere valeas. Eadem auctoritate prolem suscipiendam legitimam fo.e (or, esse et fore) nuntio et declaro. In nomine Patris et Filii, et Spiritus Sancti. Amen. Passio, D. N. I. J. C.

Again, it is obvious the last words of all impose sacramental absolution. Attached as they are to the Ritual form, they are never used in its absence, As was already stated, when absolution cannot be given, if the commission is executed at all, the form *pro foro interno non-sacramentali* is employed. Here, however, another difficulty arises. The special powers which the delegate exercises, he should use, making mention of the source of his authority. Now plainly those powers are required as well in the *absolution* as in the *dispensation*, at least sometimes, and yet no allusion is formally made to Apostolic or Episcopal authority until the confessor comes to the dispensation proper. We speak of what occurs when, in the ordinary course, absolution from sins is given, and when we possibly might expect to find recommended the insertion of some such allusion before the word "*absolvo*."—"D.N.J.C. te absolvat et ego auctoritate ipsius (et vi mandati Apostolici vel Episcopalis), te absolvo." But no; absolution is given "*in forma consueta ecclesiae*," which Reiffenstuel explains as "*ea scilicet, qua ecclesia in foro sacramentali uti solet*." It appears then that it will suffice to mention Apostolic or Episcopal authority when the confessor is about removing the impediment. To what was previously said of *legitimation* nothing need here be added.

The confessor's next concern, in cases of invalidity, will be to instruct his penitent as to how consent should be renewed. This done, when necessary, his work is complete, except that he must destroy the document, and be careful

¹ Feije, p. 746, n. 750. ² Zitelli, p. 97. Note; Feije, p. 757.

that circa eam (dispensationem), utpote in, et sub ipso sacramentali actu praeceise factam, in foro externo se habeat quasi nil de ea sciret.”¹ Unlike dispensations *pro foro externo*, the *liber matrimoniorum* will accordingly contain no evidence of the favour granted *in foro interno*. Hence a fresh² petition is required, if ever the obstacle becomes publicly known. The dispensation already granted, though thoroughly sound in conscience, is of no avail to establish the validity of a union to which a public impediment now opposes itself as a barrier. No doubt, caution is required in the remedial process. The parish priest may be in a position to say, with the consent of the parties, that a dispensation *in foro interno* had been procured. But in any event, to secure the *effects* of a valid marriage *in foro externo* a new application must be made, explaining what has occurred.

We have spoken of simple dispensations. “Sanationes in radice” bring with them no special difficulty in this place. How they are fulminated is easily understood from what was said of the same question *pro foro externo*.³ Where either *contrahens* has to renew consent, the confessor will give instruction to that effect, induce the person to prepare by confession, and advise as to the circumstances and way in which the other party should be made aware of what occurred.

Instead of “dispenso tecum, etc.,” in the form given above, he will say “matrimonium a te nulliter contractum in radice sano et convalido, prolemque susceptam et suscipiendam legitimam declaro . . .”

Where neither *contrahens* is to know anything about the dispensation, the document is sometimes sent *in forma gratiosa*. Should it come *in forma commissoria*, the confessor will fulminate it outside⁴ the confessional, and in the absence of the parties.

These “sanationes in foro interno” are of course destroyed.⁵ But the Penitentiary when dealing with cases that may become public at some future time, often sends a *convalidatio* to the Bishop or Ordinary, especially if so requested, to be carefully preserved and prudently divulged in the event of the union being called in question.

PATRICK O'DONNELL.

¹ Reifferst, T. iv. Appendix de dispensatione super impedimentis Matrimonii.

² Planchard, p. 178, n. 406.

³ Van de Burt, pp. 122, 123.

⁴ Brilland, p. 317.

⁵ Planchard, p. 167, n. 382.

ADRIAN IV. AND HENRY PLANTAGENET.—II.

“I rather suspect that vices are feigned or exaggerated, when profit is looked for in their punishment. An enemy is a bad witness: a robber is a worse.”—*Edmund Burke*.

THE religious condition of Ireland in the age of Adrian IV. is the main point in this part of our inquiry, as the reform of the Irish Church, under the supervision of Henry Plantagenet, was, according to the “Bull” itself, the sole motive which influenced the Pope. The king was well aware that such an idea would seem plausible. National perfection is never more than comparative. It is vain to attempt a process of canonization in the case of any people, and it is doubly so in that of an ancient Catholic nation. Our forefathers did not publish reports of their virtues and charities: they were more concerned with confessing their own sins and rebuking those of others. In the case of Ireland all that we can do is to try to discover the real gravity and extent of the faults which were confessed and condemned, as well as their comparative enormity when weighed against the sins of other nations. We shall begin with the evidence of St. Bernard. No ancient writer on Ireland has been more misunderstood: his veracity is unimpeachable, but his style is that of the orator rather than the historian. The only way, therefore, in which we can understand the force of his language is by measuring it by the facts which he relates. It is strange that so accomplished and dispassionate an historian as Dr. Lingard should have been misled by St. Bernard’s eloquence. It can only be explained by his own confession, that he accepted Giraldus Cambrensis as his commentator on the Saint’s writings.

He premises, “That the credulity of the Welshman (Giraldus) has often deceived by fables is evident; nor is it improbable that his partiality might occasionally betray him into unfriendly and exaggerated statements.”

And then he adds in a note—

“I have attentively perused the *Cambrensis Eversus* of Lynch, a work of much learning and ingenuity. In several instances he may have overturned the statements of Girald, in the more important points he has completely failed. The charge of barbarism, so frequently and forcibly brought forward by St. Bernard, could be

neither repelled nor evaded. His principal resource has been to insinuate, that it should be confined to a small district, though his authority describes it as general (*per universam Hiberniam* . . . *ubique*, Vit. Malach. 1937), and to contend that it was eradicated by St. Malachy, though the contrary is proved by incontestable evidence."¹

If Dr. Lingard had himself studied St. Bernard's life of St. Malachy, he would have found that if the Saint (cap. x) gives a gloomy account of the state of things in Ireland before St. Malachy's time; in another place he declares that St. Malachy restored the Church in Ireland to its pristine splendour. On both occasions he uses the same word "everywhere" (*ubique*), and if he is an authority for one fact, he is equally so for the other. He tells that at the age of thirty-eight St. Malachy was appointed "Archbishop of Armagh and Metropolitan of all Ireland," and that within the space of three years . . . the Church was set free; foreign customs repudiated, and Christian morals everywhere reformed." (Cap. xii. and xiv.)

One expression used by St. Bernard in describing the prevalent evils is very significant. He speaks of a "sort

¹ Hist. England, vol. ii. p. 172. Giraldus Cambrensis has been edited under the direction of the Master of the Rolls, by Dr. Brewer, and Rev. James F. Dimock. Of the *Expugnatio Hiberniae*, the chief work of Giraldus on Irish affairs, Dr. Brewer observes, "Giraldus regarded his subject rather as a great epic, which undoubtedly it was, than a sober relation of facts occurring in his own days." The editing of those treatises of Giraldus which relate to Ireland fell to the lot of Mr. Dimock, who devotes a considerable portion of his Preface to an examination of their value as histories. The following are some of his observations. "To prove their unfairness would take a large volume." "His history of the English Invasion must have been wholly derived from the English themselves." "Giraldus was replete with the exact qualities, the very reverse of what are needed to form an impartial historian . . . he had not an idea that anything he thought or said could by any chance be wrong . . . He also points out that Giraldus makes no secret that he wrote for a purpose. In his letter to King John prefixed to the second edition of the *Expugnatio*, he reminds the king how he had been sent into Ireland by his father, "the glorious and magnificent King Henry," and that he had spent three years in the composition of a work "On the Wonders of Ireland," and "in honour of his father." *In patris vestri laudem*. Opera Giraldi. vol. v. Pref. p. lxxiii. to lxx. and p. 405.

The annals of literature can hardly produce anything more destructive than Mr. Dimock's criticisms. All honour is due to him for his work; but it may well be asked why our Government should go to such trouble and expense in publishing the so-called historical writings of a foreigner who "draws on his imagination for his facts," while the real history of Ireland lies mouldering in the libraries of Trinity College and the Royal Irish Academy? &c., &c.

of paganism (paganismus quidam) introduced under the name of Christianity." It is plain that he here alludes to the pagan custom of the Northmen, or Danes, and when some future historian of the stamp of Dr. Lingard shall have devoted his life to the study of the history of ancient Ireland, he will probably be able to trace the abuses which St. Bernard so justly anathematized, back to the day in the year 843 when Turgesius, "the leader of the Northmen; the destroyer of a hundred churches, and the murderer of some thousands of priests and ecclesiastics," usurped the title of Abbot of Armagh, while his wife, like a precursor of Queen Elizabeth, was appointed supreme head of the great ecclesiastical city of Clonmacnois.¹

The nation which has lost all save honour may well be jealous of its sole remaining inheritance, and generous minds in England as well as in Ireland, are beginning to feel this. When nations in peaceful possession of themselves, surrender their sacred trusts and rights, they must bear the shame of their apostacy and treason. No one has ever said that this was the sin of Ireland. When rightly understood, the very evils which St. Bernard records, only make more manifest the almost unparalleled religious vitality of the Church of St. Patrick, and the enduring religious struggles of his children ought to win the admiration of all who value the prize for which they contended.

But to return to Dr. Lingard, and the charge of barbarism which he says "could be neither repelled nor evaded." In the first place it should be observed that in the pages of a Latin writer like St. Bernard, the primary meaning of the word, derived from the Greek, is "foreign," and was originally applied to the Romans themselves.² It is manifest from the context that it is in this sense that St. Bernard uses it; for while it is easy to understand how, "in the space of three years," St. Malachy could eradicate foreign imported abuses; it is incredible that in so short a time he could have civilized the whole nation. As we have seen, Dr. Lingard himself applies the epithet "barbarian" to the Normans in England, and the picture which he gives of their disregard of every law human and divine, certainly makes the expression much stronger in

¹ O'Curry, M.S. Materials of Ancient Irish History, p. 400. Annals of the Masters. Anno 843.

² Plato divides mankind into Barbarians and Hellenes.

his pages than in those of St. Bernard. Under their rule, as we learn from the Life of St. Wulston, and the Decrees of the Council of London, the unhappy natives were sold "like brute beasts;"¹ but for all that it can hardly be supposed that Dr. Lingard intended to include the whole race of conquerors in this opprobrious category.

The importance of St. Bernard's evidence can hardly be exaggerated. Of all the external, or foreign observers, whose testimony we possess on the Irish affairs of that period, he is one of the few whose honesty is above suspicion. Day by day the inventions of Giraldus Cambrensis are evaporating in the crucibles of honest investigators in England as well as in Ireland. Mathew Paris, who turns out to be Roger Wendover, whom he purloined; Ralf de Diceto; Roger de Hoveden, &c. are nothing more than rivulets fed from the copious fountains of Giraldus, the venal court historian of Henry II. They cannot rise higher than their source, while, as we shall see, the solitary and suicidal passage appended to the metaphysics of John of Salisbury is so unskilful a forgery that it runs quite away from the subject of the "Bull," and like an impetuous and bewildered advocate overturns its own case.

St. Bernard's evidence regarding Ireland embraces two distinct, and very different periods. In the first place he describes the state of things previous to St. Malachy, and secondly, he gives an account of the Church in that country during the episcopate of his friend, when his own sons, the Cistercians, were actively co-operating in St. Malachy's work. Strange to say, it is St. Bernard's second-hand testimony about antiquated abuses before his own time, which has caught the eye of Dr. Lingard, and many other writers, while his evidence regarding the contemporary glories of the Irish Church has been almost ignored. It would be interesting to know when the idea of writing the life of St. Malachy suggested itself to St. Bernard. He was older than his friend, and it can hardly be supposed that he anticipated that he was to act as his biographer. When St. Malachy visited Clairvaux, on his way to Rome, in the Pontificate of Innocent II. (1130 to 1143), his work of reform was already completed. He had resigned the Primacy, and in the words of St. Bernard: "Seeing that peace reigned everywhere, he began to look for peace for

¹ Sicut bruta animalia. Mansi. collect. Concil. 1102.

himself." The object of his journey was to obtain Palliums for the Archbishops of Ireland, as the Apostolic confirmation of this work. He came therefore to ask for favours, not to revert to old grievances which would have been impolitic, as well as uncharitable, at such a time. We may therefore conclude that St. Bernard's information regarding Irish history was chiefly derived from his own subjects whom St. Malachy had introduced into Ireland, and it is not unlikely that they were betrayed into some of those rhetorical exaggerations by which the honour of the flock is so often sacrificed to the glory of the missionary. But, granting the truth of all that is said by St. Bernard, the evils existing in Ireland before St. Malachy's time are very far from presenting that universal character which is attributed to them by Dr. Lingard. If St. Bernard says that "everywhere, in place of Christian meekness, fierce barbarism had crept in" (cap. x.), on the other hand he supplies facts which oblige us to qualify the statement. He describes (cap. iv.) the sanctity and miracles, and the wide-spread influence of Malchus, Bishop of Lismore. Armagh, which had been the chief seat of the evils deplored by St. Bernard, was ruled by St. Celsus whose name is found in the Roman Martyrology, and St. Bernard bears testimony to his sanctity.¹ It is also evident from the narrative that whatever may have been the tyranny of the civil power at Armagh, it did not prevail in other dioceses. St. Malachy was only thirty years of age when he was appointed to the Bishopric of Connor, by St. Celsus, who had recognised his extraordinary gifts, and eight years later the Archbishop nominated him as his successor in the Primacy. St. Malachy obstinately refused to accept the dignity, whereupon Gilbert, Bishop of Limerick, Legate of the Holy See, and Malchus, Bishop of Lismore, assembled a Council of the bishops and princes of the country, and

¹ "*Vir bonus et timoratus.*" "In Ireland, St. Celsus, Bishop; the predecessor of the Blessed Malachy in the Episcopate." Roman Martyrology, Ap. 6. In the annals of Ulster (Anno 1124) we find the following obituary of this saintly prelate:—

"Celsus, the Vicar of Patrick, a man of unspotted chastity, an Archbishop of Western Europe, and the head (or ruler) to whose authority the Irish and foreigners whether lay or clerical were subjects, having consecrated bishops, &c. . . . and made laws for the regulation of morals, and the preservation of peace, . . . gave up his soul to the angels and archangels in the Monastery of Ard-Patric, in Munster."

compelled the Saint to submit under pain of anathema.¹ Thus in Munster we find, in the first place, Church and State working harmoniously together; and secondly, we have evidence at this period of the active administration of the Legate of the Holy See in Ireland. Apostolic authority alone could compel a bishop to leave his own diocese; for as St. Malachy himself objected, according to the laws of the Church "he was united to another spouse whom it was not lawful to put away."

Two saints, canonized by the supreme authority of Rome, occupied the See of Armagh during the greater part of the first half of the twelfth century, and Malchus of Lismore seems to have been little inferior to them in sanctity, and the fact that all these powerful and heroic bishops died in peace, speaks well for the civil power in those wild times. The See of Armagh was then invested with extraordinary temporal as well as spiritual authority. The Archbishop of Armagh, says St. Bernard, "gave his orders with the authority of St. Patrick," and such was the reverence and honour in which he was held, that the kings and the rulers of the country as well as the bishops and the clergy were subject to him.² It is not to be wondered at, therefore, that the civil power should seek to usurp the power of this See, an abuse not uncommon even in countries nearer to the centre of authority. A hundred years later St. Dominic found nearly all the benefices of churches in Lombardy, and other parts of Italy in the hands of laymen, who passed them on to their children like any other inheritance.³

St. Malachy's reception by Innocent II., is in itself enough to prove that at that time the Pope had no complaints to make of the state of religion in Ireland. The Saint spent a month in Rome, during which time "The Sovereign Pontiff," says St. Bernard, "on many occasions, and with great care, made inquiries concerning the state of the Church in his country, and the manners of his people, and this as well from his attendants as himself . . . and when he was preparing to depart he authorized him to act for him, appointing him Legate throughout the whole of Ireland . . . 'With regard to the Palliums,' said the

¹ Convocatis episcopis et principibus terrae . . . intentantibus anathema. *Vita Malachiae*, cap. x.

² Non modo episcopi, et sacerdotes, sed etiam regum ac principum universitas. *Vita Malachiae*, cap. x.

³ *Vita di S. Caterina da Siena*. B. Raimondo v. I., ch. 8.

Pope, "the business must be transacted with greater solemnity;" and he ordered St. Malachy on his return to convoke a National Council to deliberate on the subjects. It appears that there was a difference of opinion as to the number of Archbishops who were to be invested. St. Malachy asked only for two Palliums; but some years later, in 1152, Eugenius III. sent Cardinal Paparo with four Palliums to the Archbishops of Armagh, Dublin, Cashel, and Tuam.¹

The Pope granted St. Malachy's request regarding the confirmation of a new Metropolitan, and "taking the Mitre from his own head he placed it on that of Malachy, giving him also the Stole and Maniple which he used in offering the Holy Sacrifice."² Thus in the year 1152, that is only three years before the period of her supposed ecclesiastical anarchy, in the Pontificate of the Cistercian Pope Eugenius III., we find the Irish Church in peaceful relations with Rome, beloved and honoured in her representatives, and bound up more closely than that of any other country in the world with the Cistercians, the dominant Religious Order of the age. At the time when St. Bernard wrote, he tells us that Mellifont "had conceived, and brought forth five daughters, and thus the seed multiplying day by day, the number of monks increased according to the desire and the prophesy of Malachy." Besides the five houses of the Order, there were also two Cistercian Bishops in Ireland in St. Bernard's time.³ Anastasius IV. succeeded Eugenius, and after a reign of one year was succeeded, A.D. 1154, by Adrian IV. I cannot find any evidence of the personal interference of this Pope in the affairs of Ireland during the five years of his Pontificate. From all that we have learned of this Pontiff's character, this abstention is very difficult to explain, if the Church in Ireland had suddenly fallen into the disorganized condition which the "Bull" supposes. It cannot be said that he was ignorant of the state of things, or that his authority was set at naught in Ireland; for in the third year of his reign the Four Masters tell us of a Council held at the great Cistercian Abbey of Mellifont, at which were present, "The Legate and the successor of Patrick," with seventeen bishops; on which occasion the

¹ M'Geoghegan, p. 235.

² Cap. xvi.

³ Histoire de St. Bernard, Ratisbone, t. i. p. 493. "Episcopos ex Clara-valle assumptos. In Hibernia duo Episcopi re et nomine christiani." Menologium Cisterciense, Nov. 3.

king of Meath was excommunicated and banished.¹ We must, therefore, either conclude that, having given over the Irish Church to the enlightened care of Henry Plantagenet in 1155, the Pope thought he had done enough, and withdrew from the scene during the whole of his Pontificate; or else that St. Malachy, and the Cistercians, and the mission of Cardinal Paparo in 1152, had so firmly established ecclesiastical discipline, that Rome saw no necessity for any further interference: the reader will judge which explanation is most probable.

If Popes were as irresponsible and inconsistent as other monarchs, we might narrow this discussion to the Pontificate of Adrian IV. No one pretends that the decrees of one king are any evidence as regards the mind of his predecessor, or that their consciences must of necessity run in the same groove. Alone amongst the rulers of men the Sovereign Pontiff is expected to adhere not only to the principles, but likewise to the example of his predecessors. It is the tribute paid by all generations to the supreme earthly representative of the justice of God; but it unfortunately often leads to grave misapprehensions. Principles are unchanging, but their application must vary with the ever fluctuating necessities of the age and Popes must be at liberty, like other rulers, to govern according to circumstances.

If, therefore, it appears that in course of time the Roman Pontiffs used their influence in support of the Normans in those provinces of Ireland, which they had subjugated, from this, no valid argument can be brought to bear on the acts of Pope Adrian. As well might we say that the great St. Laurence O'Toole never preached resistance to the Normans, because in the end he became the chief agent in the work of pacifying the few provinces which they had colonized. "St. Laurence, Prince Archbishop of Leinster, and Legate of the Holy See," as he is styled by the Four Masters, was at once the chief representative of Irish interests, and the impersonation of the spirit of the Holy See during the first years of the Norman settlement. Like his contemporary and patron, St. Thomas of Canterbury, for whom he had a tender devotion, his life gives us a deeper insight into the history of the times than can be obtained by the perusal of many tomes of doubtful documents. He preached resistance as long as there was

¹ Four Masters, An. 1157.

hope; but in 1175 we find him at Windsor, in the company of the Archbishop of Tuam, as ambassador from Roderick King of Ireland.¹ On this occasion it was agreed that Roderick should acknowledge Henry as Suzerain (*Ard Righ*), a very barren title of honour which Henry himself was obliged to give to the King of France, although himself a much more powerful sovereign than his titular lord. Until his death in 1181, St. Laurence was pursued by the unrelenting hostility of the Norman King. At the same time he was the favoured and confidential minister of Pope Alexander III., the successor of Adrian IV. In 1179 he assisted at the Third Lateran Council over which this Pontiff presided, where, as Surius tells us, "By his wisdom and example he was the light and model of the Bishops present in this venerable assembly;" and he returned to Ireland invested with legatine powers over the whole of Ireland.¹ Like St. Thomas, the other saintly antagonist of Henry II., St. Laurence was a vigorous political saint: he was well known in Rome, France, and England, and he was solemnly canonized at Rome by Honorius III., only thirty-five years after his death. In his triple character of Archbishop, Legate, and Canonized Saint, St. Laurence occupies a place in what Edmund Burke styles, "the interior history of Ireland," similar to that of St. Patrick and St. Malachy. The historian, Catholic or Protestant, must be blind indeed who does not perceive that faith has been the animating principle of the national life of Christian Ireland. It turned the Scoti, the hardiest and most adventurous warriors of their day, into a nation of monks and scholars, and after a lapse of three centuries restored all their military energy in the presence of the heathen Northmen. The coming of the Norman brought them face to face with Cæsarism, in the person of Henry Plantagenet, its most powerful and unscrupulous living representative. Humanly speaking, the struggle of Ireland was hopeless. In the contest with the Northmen fully five-sixths of the native population had been swept away,³ and strangers and enemies were planted in many of her Provinces. Again the Church of St. Patrick seemed in

¹ Hist. Ireland. MacGeoghegan, p. 259.

² Legatus totius Hiberniæ. Sunius. Nov. 14. See also Gury, under same date.

³ See O'Curry's "Manners and Customs of the Ancient Irish," Vol. I. pp. xvii. and xcvi.; and Sir C. G. Duffy's "Bird's Eye View of Irish History," p. 14.

danger from without, and again she came forth from the conflict unsubdued, and unfettered by those royal bonds which centuries later strangled the faith of England. In this emergency God gave Ireland a Saint, His best earthly gift, as He had given St. Thomas to England. It is not necessary to suppose that St. Laurence had definite and detailed instructions from Rome as to the course he should pursue. The Church is a living body in which the members act in concert with the head; and the ease, and freedom, and perfection of her active union in any particular country, is in proportion to the sanctity of her members. The Normans had got into Ireland, and neither the Pope nor St. Laurence imagined that they were such dutiful sons of the Church that she could induce them to retire, so there was nothing for it but to make the best of circumstances, and to this work St. Laurence betook himself vigorously as the representative, at one and the same time, of Rome, and of the best interests of his native land.

St. Laurence was more successful than St. Thomas of Canterbury, and the obvious explanation is found in that union in matters of discipline which distinguished the Irish clergy. This was the reward and the crown of that purity of life to which even Giraldus Cambrensis pays homage. Wheresoever the clergy of any country are corrupt, they are also subservient to the civil power. Either designedly, or under the influence of that spirit which shapes the deeds of evil men, the most deadly assault of the sacrilegious king was on the morals of the Irish Church; and if he was foiled by St. Laurence, it was because the Saint fell back on that fortress of God at Rome, against whose gates no earthly power has ever prevailed. One fact given by Baronius,¹ from Surius, will give some idea of the nature and gigantic proportions of this conflict. St. Laurence in ancient Irish records is styled "The Archbishop of the foreigners," owing to the great number of Danes in his Province of Leinster; and the Normans on their arrival fraternized with their Northern kindred. In the train of the former came many ecclesiastics: whereupon abuses appeared in Ireland with which the Irish Ecclesiastical Courts were not accustomed to deal. On one occasion the Legate despatched as many as a hundred and forty priests to Rome to be absolved from the guilt of concubinage. Baronius probably saw in this nothing more

¹ Annales, Anno 1179.

than a proof of St. Laurence's reverence for the Holy See, as he was himself invested with all the authority which was required in dealing with these enormities. Even those who have gone no deeper than the pages of Giraldus in their study of the morals of the Irish clergy, will be inclined to take another view of the matter: it is plain that there was a sacred, and judicial irony in the act of the Legate, which was intended to put a check upon the importation and the licence of the ecclesiastical camp followers of the Norman King.

It may be well now to put a question which appears to have been strangely overlooked in the present controversy. The ancient Annals of Ireland are more than usually diffuse on the subject of the Norman incursion. It is from them that we must gather our information as to the prevalent impression regarding this event which existed in the minds of the persons most interested in the matter; moreover they were the work of ecclesiastics. Did these writers see anything in the Norman inroad which, to their eyes, gave it even a semblance of being a crusade or religious war? I think I am safe in saying that a single line cannot be produced from the ancient Annals of Ireland which even suggests such an idea, or even makes any allusion to the "Bull."

The Annals of Inisfallen were written in the lifetime of those who had witnessed the coming of the Normans; but the only important entries which bear on the subjects run as follows:—

- A.D. 1171. The son of the Empress (Henry II.) came to Ireland, and made a settlement at Waterford.
„ 1194. Thadeus, son of Mathgamni O'Brien was killed by the foreigners at Cashel, although under the protection of the Legate and Patrick.¹

It is from the Annals of the Four Masters that we get a correct idea of the character of the Norman incursion as it appeared to the people of Ireland at the time. This "last and greatest monument of the learning of the Gaedhils," says Mr. O'Curry, "will ever be looked upon as of the most certain and unimpeachable authority." The devoted band of Franciscan scholars who composed these

¹ At this date the term "foreigner" had been transferred from Danes to Normans. For "Patrick," read "Archbishop of Armagh."

² See M.S. Materials of Ancient Irish History, pp. 75, 93, 150, 159

Annals, had advantages in the study of the ancient history of Ireland which no longer exist. They wrote, or, to speak more accurately, made their compilation, before Cromwell, and William of Orange, and thus they were able to take up the unbroken traditions of that mixed state of society which had arisen in Ireland by the amalgamation of the Scottish, or Milesian race, with the Norman colonists. They recognised all the evils which followed in the train of the stranger; but at the same time they were too profound and dispassionate scholars not to acknowledge the share which some of the Irish themselves had in these calamities. In fact, from the following extracts we see that it is Dermott King of Leinster, the adulterer and traitor, whom they brand as the chief criminal:—

- A.D. 1167. Dermott M'Murrough returned from England with a force of Galls.¹
- „ 1169. The fleet of the Flemings came from England in the army of M'Murrough.
- „ 1170. Robert FitzStephen, and Richard son of Gilbert, i.e., Earl Strongbow, came from England into Ireland with a numerous force, and many knights and archers, in the army of M'Murrough, to contest Leinster for him, and to disturb the Irish of Ireland in general; and M'Murrough gave his daughter (in marriage) to the Earl Strongbow for coming into his army.
- „ 1171. Dermott M'Murrough, King of Leinster, by whom a trembling sod was made of all Ireland—after having brought over the Saxons, after having done extensive injuries to the Irish, after plundering and burning many churches (as Ceananus, Clonard, &c.)—died before the end of a year [after this plundering] of an insufferable and unknown disease; for he became putrid while living, through the miracles of God, Colum-Cille, and Finan, and the other Saints of Ireland, whose churches he had profaned and burned some time before; and he died at Fearnamor without (making) a will, without penance, without the Body of Christ, without unction, as his evil deeds deserved.

The King of England, the Second Henry, Duke of Normandy and Aquitaine, Earl of Andegavia, and Lord of many other countries, came to Ireland this year. Two hundred and forty was the number of his ships, and he put in at Port Lairge.

From this year until the death of Hugo de Lacy in

¹ One of the Irish names for Norsemen and other foreigners.

1186, the history of the Norman invasion, as recorded by Irish writers from whom the Four Masters compiled their Annals, may be summed up in one sentence—they built castles, and burnt churches.

A.D. 1176. The English Earl (Richard de Clare, surnamed Strongbow), died in Dublin of an ulcer, which had broken out in his foot, through the miracles of S.S. Bridgid and Colum-Cille, and of all the other Saints whose churches had been destroyed by him. He saw, as he thought, St. Bridgid in the act of killing him.

O'Donovan appends a note in which Strongbow is designated as the greatest destroyer of the clergy and laity that came to Ireland since the days of Turgesius, the Danish invader in the ninth century, already mentioned.¹

A.D. 1186. In this year they record the death of "Hugo de Lacy, the profaner and destroyer of many churches," whose head was taken off by the blow of an axe; and they add, "this was in revenge of Columbkille."

It is plain, therefore, that it never occurred to the ancient ecclesiastical historians of Ireland that anything like a religious sanction had been given to the Norman inroad. The pith and marrow of these writers is found in the Four Masters, and from the above extracts it is evident that they considered that the national interests were identified with those of God and the Church. The rights of the Normans like those of the Danes were merely those of the strongest. Ireland at the time was split up into small principalities or clans. She was far inferior to the Normans in the art of war, and hence her soldiers were at first unable to resist that terrible chivalry, and those mailed archers (*Sagittarii loricati*) before whom, at Crecy and Poitiers, the best knights of France went down in the proportion of nearly ten to one. There is, however, something to be said in favour of what is called the "disunion of ancient Ireland." Her political organization in the twelfth century very much resembled that of Spain in the eighth, at the time of the Moorish invasion. Both countries were one nation with separate centres of resistance, and it is probably to this that they owe the preservation of their national existence. England had one head at the time of the Norman invasion, and when it fell the struggle was at an

¹ Fr. Colgan. Quoted by O'Donovan.

end. Moreover, the history of the world reveals that while great empires are instruments of conquest and destruction, it is in countries which have many centres of government, and intellectual activity that great men are multiplied. Ireland was hardly more divided than ancient Greece, or mediæval Italy, and the Saints and Doctors who went forth from her for so many centuries, owed much of their originality and individual energy to the absence of centralization.

We have taken a glance at the state of horrible and degrading servitude to which the Normans reduced the people of England. On the other hand, from the very outset of the struggle in Ireland, we find that the Norman knight paid a tribute to the Irish character similar to that which the Roman general offered to the conquered Greek. The following is the testimony of a writer who wrote with a mind untroubled by our national antipathies:—

“In friendly intercourse the conquerors were subjugated by the spell of native gentleness, and an irresistible attraction induced them to assume the manners, the language, and even the dress of the conquered. The Anglo-Normans became Irish by adoption, and were delighted to assume Irish names in place of their feudal titles of Earl and Baron, . . . enamoured of the music and poetry of Ireland they invited the Bards to their table, while to the women of the country they entrusted the instruction of their children.”¹

In England the daughters of the native nobility were enslaved by Norman grooms and varlets:² in Ireland, on the other hand, we find Eva, Princess of Leinster, married to the Earl of Pembroke (Strongbow) even before the arrival of Henry II.; De Burgo, his immediate successor in the viceroyalty, married Una, the daughter of O'Connor, King of Connaught; while the famous race of the Geraldines sprang from the union of Maurice Fitzgerald with the grand-daughter of an Irish king.³

In all history, and eminently in that of Christian nations, there is a silent under-current which too often escapes the

¹ Augustin Thierry, *Conquête d'Angleterre par les Normands* iv. 240.

² *Nobiles puell despicabilium ludibrio armigerorum patebant, et ab immundis nebulonibus oppress dedecus suum deplorabant.* Oderic, *Vitalis*, P. ii., Lib. iv.

³ *Four Masters*, A.D. “Irish Pedigrees,” O’Hart, p. 417. “The Earls of Kildare,” by the Marquis of Kildare, p. 10.

observation of those whose curiosity is only awakened by storms. It is the women of a country who make its men: "The Spartan women alone command the men," said a stranger to the wife of Leonidas. "The Spartan women alone bring forth men," was her proud rejoinder. The Christian mother does more: she it is who perpetuates in a people that moral law, adherence to which is like a promise of national immortality. Even in Pagan times the position of women in Erin was singularly exalted, as is plain from the names of the many royal heroines who appear in the pages of her Bards and Annalists. It is also evident from many passages in the writings of St. Patrick, that he found the women of Ireland in a state of independence and social dignity very uncommon among pagan nations. The barbarian tide from the North appears to have made no essential change in their condition. The legend of the lady—

"Whose maiden smile in safety lighted her round the green isle,"

dates from the reign of Brian (1014). Again, in 1167, on the eve of the Norman incursion, the Four Masters tell us that after the great national and ecclesiastical assembly held at Meath in that year, "Women used to traverse Ireland alone."¹ There are many elements in that very indefinite compound called civilization: amongst them loyalty to the weaker sex is certainly not the least important, and in this respect Ireland in the twelfth century presented a very favourable contrast to England under the Normans.²

W. B. MORRIS.

(To be continued.)

¹ O'Donovan's Trans., A.D. 1167.

² "There was no security for females unless they took refuge in a convent:" Lingard, ii., p. 6, n. . "The Princess Matilda, afterwards Queen of Henry I., was obliged to retire for safety to a royal convent at Wilton:" Hist. Eng., A. T. Drane, p. 93.

CAROLAN THE BARD.

"Harp of my native land

That lived anew 'neath Carolan's master hand."

D. F. MACCARTHY.

"OF all the bards ever this country produced," says Goldsmith, the "last and greatest was Carolan the blind. He was at once a poet, a musician, a composer, and sung his own verses to his harp. The original natives never mention his name without rapture: both his poetry and music they have by heart, and even some of the English themselves who have been transplanted there find his music extremely pleasing."

On a gentle green slope with a southern aspect, and a silvery sheet of water at its foot, stands a small ivy-clad ruin, all that now remains of the former parish church of Kilronan. Kilronan is a spot well known to the Irish antiquarian and historian; the "Annals of Kilronan" quoted by the Four Masters having been compiled there, and the O'Duignans, hereditary bards and historians of Moylurg, having made Kilronan their place of abode. It lies in the extreme northern corner of the county Roscommon, about six miles from Boyle, and an equal distance from the town of Leitrim. But for the poet or the musician the little speck of ruin reposing on the sunny emerald slope with the crystal Lake Meelagh at its foot, possesses a far dearer interest. Within its walls repose the mortal remains of Thurlogh O'Carolan, by many considered the last, and by all the greatest and most gifted of the Bards of Erin. Beneath the tourist's eye as he stands by the grave of Carolan, the towering castle and princely park of Kilronan lie spread as on a map. Long ago, in the days of Ireland's departed glories, the swelling uplands around Kilronan belonged to MacDermott of Moylurg. The place has long since changed masters, and the Earl of Kingston now rules castle and park and smiling lake, and many a broad acre besides, all nestling at the foot of that hillock upon whose bosom Carolan sleeps the sleep that knows no waking.

We are all more or less familiarly acquainted with the masters of English song, with the long line of famous men who from Chaucer to Tennyson have made the English tongue immortal. But many of us forget that at home

here there flourished a class of men quite equal in ability to their brethren across the channel, who next after our martyrs for the faith have done most to write our people's name upon the page of history. Our poetry and our music are now as lasting as time, but we should not forget the gifted men, the Irish Bards who brought this about; who kindled the poetic fire and woke the deathless melody now eternally preserved for us by Moore. The origin of the Bardic's order is lost, or at least, is but dimly visible in the misty region of pre-historic times. The Milesians when they sought and found the "Isle of Destiny," had in their company Amergin, poet, priest, and prophet. One of the earliest regulations made by the Milesian colony having assigned to the bard a place next after royalty. Seminaries were established for their training, and the young aspirant to the Bardic order seldom completed his education in less than twelve years.

Nor should we wonder that so much time and attention were devoted to the training of the bard. His influence upon society was all powerful, his duties of vital importance. When the demon of discord and contention broke loose, and spears were poised and swords leaped from their scabbards, the bard had only to run between, shake the "chain of silence," and instantly every weapon was restored to its resting place. The bard had to attend his prince in battle, to watch his conduct and excite him to heroic exploits by narrating the famous deeds of his ancestors, and down to the very last struggle for independence his words were never lost upon an Irish chief. Thus when Henry VIII. cast the Earl of Kildare into the tower, and a rumour of his death had reached Ireland, the Earl's son, the chivalrous, but unfortunate "Silken Thomas" strode into the presence of the Council sitting in St. Mary's Abbey, intending to deliver up the Sword of State and renounce his allegiance to Henry. Archbishop Cromer, who loved the young man, tried to dissuade him from his rash purpose, and the words of the holy prelate were visibly telling upon the young nobleman, when Nelán, 'Silken Thomas' bard, running his fingers along his harp strings addressed him in the sweet Gaelic tongue, extolling his prowess, and, like the ghost in Hamlet, conjuring him to avenge his murdered father. Instantly, the decision of the young chief was taken, and he flung down the Sword of State with a force and violence that sent the blade leaping from the scabbard.

Thus the Irish bard was the companion, guide and counsellor of his prince, and when the latter fell in battle, or by the sword of the assassin, it was the bard who stood beside his tomb and pronounced his funeral oration. So the fame of Ireland's Bards spread over the world. A colony from the mother country carried into Scotland all those musical flowers of which the Scots are so justly proud. When a Welsh King wished to infuse into his people a love for music he brought over Irish bards for that purpose. Gerald Barry, so hostile to everything Irish, had to admit the superiority of her bards. Spencer writing his "Fairy Queen" in his romantic Castle of Kilcolman, did not scruple to borrow from them. Carroll O'Daly, a young Irish bard, recovered his lost love Elinor Kavanagh by means of his harp; for when the lady's father insisted upon her marrying another, and the festivities had already commenced, Carroll, disguised as a strolling minstrel, presented himself to the company and obtained permission to perform. He composed and sang the now famous "Eibhlin a Ruin." The fair Elinor recognised her lover, and found time and opportunity to exchange a whisper with him. In a little time, when her father and his guests were half drunk, she stole to the door. O'Daly was there to receive her.

"One touch to her hand and one word in her ear,
 When they reached the hall-door and the charger stood near,
 So light to the croupe the fair lady he swung,
 So light to the saddle before her he sprung.
 'She is won, we are gone over bank, brush and scaur;
 'They'll have fleet steeds that follow,' quoth young Lochinvar."

Now, among this long catalogue of famous and gifted men, there is no name more prized by his countrymen than that of Carolan, so we shall try and learn who and what he was.

Carolan was born probably at Nobber, a hamlet in the county Westmeath, in the year 1677. His father was a small farmer renting a few acres of the lands of Carolans-town, wrested from his ancestors by the Nugents. At a very early age, so early that he never afterwards retained any impression of colour, the future bard was attacked by smallpox, and when the disease left him his friends learned with dismay that it had bereft him of sight.

The beauties of the picturesque world were now lost to Carolan. The smiling landscape, the streaks of alternate sunshine and shadow flitting across the mountain side, the glories of the rising and setting sun, the more soothing

charms of the moon, all were now lost to him. And yet, perhaps, his country should rejoice at the loss, for it was now, when the door to every other enjoyment was closed against him, that Carolan turned his attention to poetry and music. His relatives, poor as they were, strove to assist him in his new pursuit, and engaged a teacher to aid him in mastering the harp. He made wonderful progress, but music alone was not the chief object of his ambition; her twin sister, poetry, was the favourite of the young bard's heart, and he ingratiated himself with the former merely as a means of winning the smiles of the latter.

When about the age of twenty-one, Carolan had the good fortune to make the acquaintance of a noble and high-minded Irish lady. Madam MacDermott Roe was charmed with the beauty and ability of the young bard; she purchased a harp for him, presented him with a horse and gossoon or attendant, and so launched him into life as a professional musician. His appearance at this time is described as singularly prepossessing. He was above the middle height, well and gracefully formed, with a face upon which genius had unmistakably imprinted her seal. His flaxen hair streamed over his shoulders, and his eyes, though sightless, are said to have been lovely to look upon. But to see Carolan properly it was necessary to obtain an entrance into the house of some nobleman where the bard was visiting. He never received hospitality which he did not repay by a song dedicated to some member of the family. The occasion was anxiously looked forward to, and the nobility and gentry for miles around attended.

In a large hall, brilliantly lighted, and graced with Irish rank and beauty, a raised platform had been erected, and there, harp in hand, sits Carolan. Every eye is bent upon him, every tongue is silent. His head is thrown back upon his shoulders; his fingers wander silently as yet among the strings; his countenance glows with emotion; one loud note from the harp, and forth teems the tide of song—a flood of priceless poetry, and a stream of tuneful melody—side by side they issue forth, mutually strengthening and embellishing each other. The audience have caught the fire of the bard. Not Orpheus among the Thracian hills, nor Timotheus in the hall of Alexander, has more power over his hearers. Does he sing of love? every eye languishes; of pity? every heart is melted; of joy? sunshine beams from every face; of revenge? every warrior clutches his sword and stands ready to march upon the Sassenach.

From the day when Madam MacDermott Roe launched him into life until the year of his death, A.D. 1738, beneath the roof of the same kind benefactress, the fountain of Carolán's poetry never ran dry. The country people imagined the bard leagued with the fairies. During the sultry hours of the day he had himself conducted to some retired spot, generally a Danish rath, and there, during many hours,

"His listless length at noontide would he stretch."

That night his meditations, clothed in all the beauty of Irish poetry, were poured forth in the hall of some neighbouring mansion. There is scarcely a respectable family to the west of the Shannon but preserves to this day, and cherishes with jealous care, some song or lampoon, rightly or wrongly attributed to Carolán. Among the glens and rocky headlands of historic Breffni, the harp-notes of Carolán rang; on the plains of Moylurg and Coolavin; in the mansion of the O'Conors; in Castle Kelly; away westward among the Joyces and the O'Flahertys; through the wilds of Innishowen; north, south, east and west, this Irish Homer journeyed, flinging right and left, with most lavish extravagance, those peerless Irish airs which still delight the learned in every land.

"Qui multum peregrinantur raro sanctificantur," writes Thomas à Kempis, and it cannot be denied that his wandering life and continued existence amid scenes of revelry, engendered in Carolán a partiality for strong drinks. Indeed he was of opinion that abstinence from his favourite beverage dried up the sources of his poetic inspirations. Many centuries before, Horace gave it as his opinion:

"Nec durare diu, nec vivere carmina possunt
Quae scribuntur aquae potoribus."

Carolán certainly lived up to the maxim, and whoever obstructed him in pursuit of his favourite nectar, was sure to have a lampoon, deathless as the fame of its author, fastened upon him. Residing at one time in the house of a frugal matron, he heard the butler, Dermot O'Flynn, unlocking the cellar door, and politely asked him for a cup of ale. The butler rudely repulsed him, declaring that he should have nothing except by order of his mistress. Trembling with anger, Carolán turned to those present and delivered the following epigram:—

"What a pity Hell's gates are not kept by O'Flynn,
So surly a dog would let nobody in."

But Carolan was by no means an habitual drunkard. We have it on the authority of Charles O'Connor the distinguished historian, a man personally acquainted with our bard, that "Carolan was seldom surprised by intoxication." To be sure the constant process of lionizing to which he was subject, and the unrestricted hospitality then offered by every Irish householder, gave our bard a partiality for the "flowing bowl;" he would have been a saint if it were not so, but it is quite certain that the ridiculous stories narrated by Goldsmith regarding his craving for drink even at death's door have no foundation in fact.

Then, in forming an estimate of O'Carolan's character, we should consider the times in which he lived. He was contemporary with the battles of the Boyne and Aughrim, and witnessed the flight of Ireland's nobility into foreign lands. Every silvery streak a short time ago gilding the sky had melted into frowning darkness. The noble order to which he belonged was banned and persecuted. The Royal line which had protected Carolan and his fellow-bards had tasted the very dregs of misfortune.

"Old times were changed, old manners gone,
A stranger filled the Stuart's throne."

Tyrconnell and Sarsfield and the cream of Irish society had disappeared, and in their places were a set of low-born squireens alien both to the virtues and the feelings of the unfortunate people over whom their word was law. Carolan loved the land that bore him with all the ardour of a poetic soul. What wonder then that his heart sunk within him; and to animate his drooping spirits and obliterate for a time the recollections of his own and his country's misfortunes he had recourse unfortunately to the whiskey-shop. Hence, those who have themselves faults in abundance would do well to look with a pitying eye on those of Carolan, to remember his profession as well as the period in which he lived, and say with Moore:

"Then blame not the bard if in pleasure's soft dream
He should try to forget what he never can heal;
Oh! give but a hope—let a vista but gleam
Through the gloom of his country and mark how he'll feel.
That instant his heart at her shrine would lay down
Every passion it nursed, every bliss it adored.
While the myrtle now idly entwined with his crown
Like the wreath of Harmodious, should cover his sword."

Now, however, the sun of Carolan's genius as well as

his existence is hastening to its setting. An incurable disease is devouring his aged frame, so the dying bard looks anxiously around for some quiet nook wherein to repose his wearied limbs and die. With faltering steps he turns towards Alderford, the home of his first and last benefactress, Madam MacDermott Roe. As he staggers up the winding avenue, the children come bounding forth to meet him. One takes possession of his harp; another leads him by the hand; while a third strokes his venerable white beard, and begs a song in her praise. Alas! that harp once so eloquent to his touch shall never more discourse sweet music in the hands of Carolán. He meets his noble benefactress and solicits some corner wherein to die. Lovingly and carefully was he tended, and every aid which wealth could command was at his disposal. But Carolán was mortally sick. In a few days he piously breathed his last, and was followed to the grave by crowds of sorrowing multitudes. At the foot of the MacDermott Roe vault he sleeps his last sleep. There is no doubt about the spot, for the peasantry around know it well and cherish it with genuine reverence and affection. Up to a recent period neither "storied urn nor animated bust" marked the last resting place of Carolán. Latterly, however, Lady Tennyson, upon whose property Kilonan graveyard then lay, procured a memorial for the spot, and the traveller on the Leitrim road, as it skirts the picturesque shore of Lough Meelagh, has his eye attracted by a neat slab inserted in the wall, and notifying that within repose the mortal remains of Thorlogh O'Carolán.

In estimating Carolán's worth, we must remember that he was a composer of music as well as a poet. Ever so many of the scattered melodies of our land owe their conception to his genius. Regarding his eminence both as a composer and a performer we have two most authentic records. Geminiani, a distinguished Italian musician residing for some time in Dublin, heard of Carolán's musical genius, and determined to test it. Accordingly, he singled out a most excellent but difficult piece of music in the pure Italian style, and having mutilated it here and there, consigned it to a brother musician *en route* for Connaught, with directions to play it in Carolán's presence. The blind bard, little dreaming that he was on his trial, heard the piece with great attention, but remarked at its conclusion that, "here and there it limped and stumbled a little." Having been requested to rectify it he complied,

and the amended piece having been forwarded to Geminiani in Dublin, he pronounced Carolán "a man possessing the highest order of musical genius." On another occasion Lord Mayo brought a celebrated Italian performer from Dublin to his residence in the west. Carolán being there at the time resented the preference shown to the foreigner. "Play as well as he does," replied his lordship, "and you shall receive the same consideration." Carolán instantly wagered, that although almost a stranger to Italian music, he would follow his rival in any piece he played. A public contest was held, and Carolán made good his engagement. Nay, he completely vanquished his opponent, for when the Irish bard took the lead the Italian was quite unable to follow.

Of Carolán's eminence as a poet, it is of course almost impossible for the generality of Irishmen of the present day to form an opinion. He has left us considerably over two hundred scattered pieces, but all with one exception were written in Irish, so the only means we have of estimating their value is through the medium of an English translation. Now an English translation of Carolán's poetry bears about as much resemblance to the original as Rafael's painting to the living Madonna, or Hogan's statue to the living O'Connell. A certain resemblance there is of course. The cold external lineaments are brought out, but the passion and fire and feeling which charmed Carolán's contemporaries are nowhere to be found. Yet even in a foreign costume most of his poetical pieces are worthy of the bard. Thus, his address to whiskey is full of frolic, and exquisitely natural word-painting, as when he says :

" My barley-ricks all turn to you,
My tillage, my plough and my horses too,
My cows and my sheep—they have bid me adieu,
I care not while you remain, love."

His Elegy on the death of his wife, of which the following is an extract, has been rarely surpassed in feeling and sweetness :

" Were mine the choice of intellectual fame,
Of spellful song and eloquence divine,
Painting's sweet power, Philosophy's pure flame
And Homer's lyre, and Ossian's harp were mine ;
The splendid arts of Erin, Greece, and Rome
In Mary lost would lose their wonted grace,
All would I give to snatch her from the tomb,
Again to fold her in my fond embrace.

Desponding, sick, exhausted with my grief,
 Awhile the founts of sorrow cease to flow,
 In vain! I rest not—sleep brings no relief,
 Cheerless, companionless, I wake to woe.
 Nor birth nor beauty shall again allure,
 Nor fortune win me to another bride;
 Alone I'll wander and alone endure,
 'Till death restore me to my dear-one's side."

The following is an extract from Carolan's address to Dr. Harte, Catholic Bishop of Achonry, and is taken from Archdeacon O'Rorke's admirable work "*Ballysadare and Kilvarnet*" :—

"In this hour of my joy let me turn to the road,
 To the pious one's home let me steer,
 Aye! my steps shall instinctively see that abode,
 Where plenty and pleasure appear.
 Dear Harte! with the learn'd thou art gentle and kind;
 With the bard thou art open and free;
 And the smiling and sad in each mood of the mind
 Find a brother's fond spirit in thee.

To the lords of the land we can trace back thy name,
 But a title all bright is thine own;
 No lives have been banished to prop up *thy* fame,
 For it rests on calm goodness alone.
 Could they deign in old Rome my fond suffrage to hear,
 To that spot for thy sake should I roam;
 And high in the conclave thy name should appear,
 Known, honor'd and lov'd as at home."

In like manner his "*Gentle Brideen*," "*Mild Mabel O'Kelly*," "*Carolan's Receipt*," "*Grace Nugent*," and a host of others are delicious *morceaux* of which his countrymen may well feel proud, and for the enjoyment of which we must refer them to Walker's *Irish Bards* or Hardiman's *Irish Minstrelsy*.

Such then was "*Carolan the bard*," a man endowed with abilities of the highest order. That he did much to place Irish music in its present exalted position is evident from the fact that when Moore was trying to collect the scattered melodies of Erin, he tracked Carolan through all the counties of the west. Yet, mainly owing to the misfortunes of his unhappy country, Carolan is little known outside the immediate neighbourhood in which he lived and sung. Nevertheless, there can be no doubt, that in

the brighter days already beginning to dawn upon Erin, she will elevate her favourite bard to his proper niche, and that Irishmen all over the world will yet cherish the handful of dust reposing in Kilronan graveyard, with as much genuine affection as the Scot exhibits over Burns' grave at Dumfries, or the Englishman when standing on the emerald lawns of Stratford-on-Avon.

T. CONNELLAN.

LITURGY.

VOTIVE MASSES.

XI.—*Certain obligations in connection with Votive Masses.*

1. It is quite certain that the Masses ordered at ordination to be said by the newly-ordained, must be Votive Masses, and are therefore not to be said except on days on which Votive Masses are allowed.¹

As to the obligation of saying them at all, St. Liguori gives three opinions:—1st, That the obligation binds *sub gravi*; 2nd, that it binds only *sub veniali*; and 3rd, that it does not bind *sub peccato* at all. With regard to the last, his words are: “*Alii tamen ibi (ut Sot. Val, Diana, Pal. Pell. Gob., &c.) dicunt probabiliter hujusmodi obligationem esse decentiæ, non autem sub peccato.*”² This opinion being, according to St. Liguori, probable, we are safe in adopting it.

It is certain that these three Masses need not be offered for the bishop's intention, and that therefore the priest is quite free to receive *honoraria* for them. The newly-ordained are told simply to say the Masses: “*Post primam Missam tres alias Missas dicite, &c.*”³ They are expected only to *pray* for the bishop; “*Et Omnipotentem Deum etiam pro me orate.*”

2. Is it a sin to say a Votive Mass on a forbidden day?

St. Liguori⁴ gives two opinions: The first, that it is a mortal sin. The second that it is *per se* only a venial sin. He does not even mention the opinion that it is no sin at

¹ Pont. Rom.

² Lib. vi., 420.

³ S.R.C., 11 April, 1840.

⁴ Lib. vi., 829.

all. The second, he says, is the opinion commonly held. But De Herdt states that several maintain that the Rubric forbidding Votive Masses on certain days is merely directive, and that it does not bind at all *sub peccato*. Nor does he venture to pronounce this opinion improbable. He merely says that the second opinion, favoured by St. Liguori, is more probable. Whilst Rubricists are thus divided, no one but the Sacred Congregation has a right to declare the matter to be sinful. We must await its decree.

3. A priest who has undertaken to say a Votive Mass does not fulfil his obligation by saying the Mass of the day,¹ except in the following cases:—

(a) With the consent of the person who has given the stipend.

(b) If the *honorarium* has been taken for a Votive Mass, which it is not lawful to say, v.g. the Mass of Christmas Day or of a Beatified.

(c) If the obligation be undertaken for a day on which a Votive Mass is not sanctioned by the Rubrics. Of course a priest ought not to undertake such an obligation. But if he has done so through inadvertence, the Mass must be deferred, if convenient, to a suitable day; if it should be inconvenient to defer it, the Mass of the day should be said.²

When it is said that the obligation of saying a Votive Mass is not fulfilled by saying the Mass of the day, we must understand the statement in the sense that it is not *completely* fulfilled; it cannot mean that it is not *substantially* fulfilled, or that the priest would be obliged to make restitution of the *honorarium*.³

XII.—*The Privilege of saying the Votive Mass of the B.V.M. granted to a priest suffering from bad sight.*

The Holy See alone has the right *jure ordinario* to grant this privilege.

The priest must attend carefully to the terms of the privilege.

It is usually granted with certain conditions:—

(a) “*Dummodo orator non sit omnino caecus.*” If he should become quite blind, he must obtain a new privilege.⁴

¹ 19 May, 1614, and *passim*.

² 3 Sept. 1612.

³ De Herdt.

⁴ 16 March, 1805.

(b) "Cum alio sacerdote assistenti, quatenus eo indigere videatur," It is plain that there may be cases in which this condition would bind *sub gravi*, but the obligation exists only when there is necessity: "quatenus eo indigere videatur." The assisting priest should wear a surplice and may do everything that the sacred ministers do in High Mass. He must also keep the chalice safe, whilst the celebrant is making the sign of the cross over it; he may repeat the beginning of the prayers; he must see that no particles remain on the corporal and paten.

(c) "Diebus festis et duplicibus Missa Votiva B.V.M., diebus vero ferialibus Missa defunctorum."

(1) No day, however privileged, is excepted.¹ But if said on Christmas Day it can be said only once.²

(2) The Votive Mass to be said is that which is suitable to the period of the year, if possible; otherwise, that for the time from Pentecost to Advent.

(3) The Mass is always said in white without the *Gloria* (except on Saturday) even within Octaves of the B.V.³ Neither is the *Credo* said.

(4) There is never a commemoration of the day, nor is the *oratio imperata* said. The second prayer is always "De Spiritu Sancto"; the third "*Ecclesiae*" or pro Papa."

(5) By ferial days are meant those days only on which Low Masses "De Requiem" are allowed. But there is no obligation to say the *Requiem* Mass on those days; the Votive Mass may be said.⁴

There is no obligation to use this privilege. If the Rubrics can be carried out in all things, so much the better. But, if the privilege be used, it must not be extended to things not contained in it; for instance, the missal must be on the altar, though it may be of little service.

P. O'LEARY.

¹ 11 Sept., 1847.

² 11 April, 1840.

³ 23 Feb., 1839. See last number of RECORD, p. 473, note 1.

⁴ 16 Mar. 1805.

DOCUMENTS.

LETTER OF CARDINAL MORAN CONVOKING THE NATIONAL
SYNOD OF AUSTRALIA.

EDICTUM CONVOCATIONIS SYNODI PLENARIÆ AUSTRALIENSIS.

Patritius Franciscus, Dei et Apostolicæ Sedis gratia, Archiepiscopus Sydneyensis, Metropolitanus, etc.

Illustrissimis et Reverendissimis DD. Archiepiscopo et Episcopis Ecclesiarum Australiensium et aliis omnibus qui de jure Synodo Plenariæ interesse debent, salutem in Domino.

Cum ex parte Reverendissimorum Praesulum Ecclesiarum Australiensium Sanctæ Sedi innotuerit in votis esse ut plenaria totius Australiae Synodus celebraretur, cumque hujusmodi consilium summopere placuerit Sacrae Congregationi de Propaganda Fide, Sanctissimus D. N. Leo Papa XIII., Supremus in terris Ecclesiæ Pastor, Nobis potestatem concessit (ut ex Litteris Brevibus, die 10^a Junii anni elapsi datis, et huic Decreto adnexis constat). qua ad normam Sanctorum Canonum talem Synodum Ecclesiarum Australiensium convocaremus, eidemque ex Delegatione Apostolica praeessemus. Nos itaque vi auctoritatis benigniter concessæ Synodum Plenariam Australiensem in Civitate Sydneyensi, qui locus omnibus Praesulibus commodus et opportunus visus est, in Cathedrali Ecclesia et aedibus adjacentibus ad xviii. Kalendas Decembris in die Sabbati ante festum Patrocinii Beatissimæ Mariæ Virginis, quæ incoeptis nostris sit propitia, incipiendam, et subsequentibus diebus proseguendam, et Deo adjuvante ad ejus gloriam et laudem, et fidelis populi salutem, absolvendam ac perficiendam indicimus et convocamus.

Caeterum venerabilibus Praesulibus, quorum cor unum et anima una est, occasionem hæc Synodus praebebit qua sapientissima oecumenici Concilii Vaticani decreta solemniter inculcentur, abusus in disciplina Ecclesiastica si qui sint corrigantur, Catholica juventutis institutio vindicetur et foveatur, et alia peragantur quæ ad salutem animarum et Ecclesiæ bonum promovendum spectant.

Haec vero ut rite perficiantur, Reverendissimos Praesules rogamus et requirimus ut, cum suis theologis e clero saeculari vel regulari selectis, ad Synodum hanc veniant, aut si ipsi legitime impediti sint, procuratores mittant. Eos pariter rogamus ut, in suis Dioecesibus, omnibus qui Synodo Plenariæ de jure vel consuetudine adesse debent aut possunt, hujus Synodi indictionem notam faciant.

De caetero, quoniam in vanum laborant qui aedificant domum nisi Dominus aedificet eam, rogamus et adhortamur pientissimos Praesules et omnem clerum ac populum ut suis orationibus Nos et

omnes qui Synodo intersint adjuvent, Deum optimum maximum assidue obsecrantes ut assistricem sapientiam immittat quae nobiscum sit et nobiscum laboret, mentes illuminet et corda succendat, sicque actus operationes bene incoeptas feliciter ad exitum perducatur ut nostris consiliis pietas promoveatur, ecclesiastici ordinis decus augeatur, fides firmetur et opera Christianae pietatis et misericordiae magisque abundant adeoque qui foris sunt haec videntes glorificent Patrem qui in Coelis est et in unicum salutis ovile aggregentur.

Datum apud Sydney, die 15 Aprilis, 1885.

✠ PATRITIUS F. MORAN,
Archiep. Sydneyen.

IMPORTANT DECREE OF THE HOLY OFFICE REGARDING MATRIMONIAL DISPENSATIONS.

SUMMARY.

Withdrawal of the Decree of the Holy Office (1st August, 1866), and of the Pœnitentiary (20th July, 1879) which required, when application was made for a dispensation "in gradibus prohibitis consanguinitatis, affinitatis, cognationis spiritualis, nec non et publicæ honestatis," the mention of the crimen incestus, "si sponsi ante earundem dispensationum executionem, sive ante sive post earum impetrationem, incestus reatum patnaverint."

The present decree annuls this legislation and declares "dispensationes matrimoniales posthac concedendas, etiamsi copula incestuosa, vel consilium et intentio per eam facilius dispensationem impetrandi, reticita fuerint, validas futuras esse."

ILLME. AC RME. DOMINE.

Infandum incestus flagitium peculiari semper odio sancta Dei Ecclesia prosequuta est, et summi Romani Pontifices statuerunt, ut qui eo sese temerare non erubuissent, si ad apostolicam Sedem confugerent petendae causa dispensationis super impedimentis matrimonium dirimentibus, eorum preces, nisi in eis de admissio scelere mentio facta esset, obreptionis et subreptionis vitio infectae haberentur atque ideo dispensatio esset invalida: idque ea sanctissima de causa cautum fuit, ut ab hoc gravissimo crimine christifideles arcerentur.

Hanc S. Sedis mentem testantur tum alia documenta, tum decretum, quod novissime supremum sanctae romanae et universalis Inquisitionis consilium, ipso adprobante Romano Pontifice, feria IV. die 1 augusti 1866 tulit, quod est huiusmodi "subreptitias esse et nullibi ac nullo modo valere dispensationes, quae sive directe ab apostolica Sede, sive ex pontificia delegatione super quibuscumque gradibus prohibitis consanguinitatis, affinitatis, cognationis

spiritualis necnon et publicae honestatis conceduntur, si sponsi ante earundem dispensationum executionem, sive ante sive post earum impetrationem incestus reatum patnaverint: et vel interrogati, vel etiam non interrogati, malitiose vel etiam ignoranter reticuerint copulam incestuosam inter eos initam sive publice ea nota sit sive etiam occulta, vel reticuerint consilium et intentionem qua eandem copulam inierunt, ut dispensationem facilius assequerentur." S. Poenitentiaria vestigiis insistens supremæ Inquisitionis id ipsum die 20 iulii 1879 statuit.

Verum cum plurimi sacrorum antistites sive seorsum singuli, sive coniunctim S. Sedi retulerint, maxima ea de causa oriri incommoda cum ad matrimonialium dispensationum executionem proceditur, et hisce praesertim miseris temporibus in fidelium perniciem non raro vergere quod in eorum salutem sapienter inductum fuerat, Sanctissimus D. N. D. Leo divina providentia Papa XIII. eorum postulationibus permotus, re diu ac mature perpensa, et suffragio adhaerens Eminentissimorum S. R. E. Cardinalium in universa christiana republica una necum inquisitorum generalium, hasce litteras omnibus locorum ordinariis dandas iussit, quibus eis notum fieret, decretum superius relatum S. romanae et universalis Inquisitionis et S. Poenitentiariae, et quidquid in eundem sensum alias declaratum statutum aut stylo Curiae inductum fuerit, a se revocari, abrogari, nulliusque roboris imposterum fore decerni; simulque statui et declarari, dispensationes matrimoniales posthac concedendas, etiamsi copula incestuosa vel consilium et intentio per eam facilius dispensationem impetrandi reticita fuerint, validas futuras: contrariis quibuscumque etiam speciali mentione dignis minime obstantibus.

Dum tamen ob gravissima rationum momenta a pristino rigore hac super re Sanctissimus Pater benigne recedendum ducit, mens Ipsius est, ut nihil de horrore, quod incestus crimen ingerere debet, ex fidelium mentibus detrahatur; imo vero summo studio excitandos vult animarum curatores, aliosque quibus fovendae inter christifideles morum honestatis cura demandata est, ut prudenter quidem, prout rei natura postulat, efficaciter tamen elaborent huic facinori insectando et fidelibus ab eodem, propositis poenis quibus obnoxii fiunt, deterrendis.

Datum Romae ex cancellaria S. O. die 25 iunii 1885.

Addictissimus in Domino,

R. CARD. MONACO.

DECISION REGARDING ESSENTIAL MARKS OF AUTHENTIC DECREES OF THE S.R.C.

SUMMARY.

It is not essential for the binding force of a Decree of the S.R.C. that it should appear in Gardellini's authentic collection of Decrees. It is enough that it be properly confirmed by the Pope. Conse-

quently the late Decrees regarding the Gregorian Chant published by Pustet are in full force.

PETROCORICEN.

Nonnulla dubia circa Decretum S. R. C. 26 Aprilis 1883. *Romanorum Pontificum sollicitudo*, pluribus in Galliae provinciis in medium prolata fuere et in foliis publicis pervulgate, quae causae sunt cur vis illius Decreti inter plures musicae sacrae peritos vel sacrae Liturgiae professores disputata fuerit. Ideo episcopus Petrocorensis et Sarlatensis humiliter rogat S. Congregationem ut propositis questionibus respondere dignetur.

Juxta quosdam auctores, Decreta S. R. C. vim suam non obtinent nisi in collectione Gardelliana inserantur; porro quum plura decreta circa cantum Gregorianum in hac collectione non sint posita, iisdem auctoribus videntur haec decreta in oblivione relinquenda, quia forsitan in posterum corrigenda erunt. Decretum 26 Aprilis declaratur ab iisdem ut nunquam in supradicta collectione colligendum et proinde nullius esse obligationis. Praeterea, non desunt qui in Decreto 26 Aprilis 1883 errores aliquos historicos detegere praesumant circa emendationem a Joanne Petro Aloysio Praenestino ejusque discipulis in cantu Gregoriano peractam, et idcirco infirmum dicunt esse tenorem illius decreti utpote in falso supposito innixum. Denique rumor aliquis huc usque pervenit aliquos viros Romam petiisse cum intentione a S. Sede impetrandi ut praedictas decisiones circa cantum legitimum, nuper recognitum, apud cl. equitem Pustet editum, relaxare velit, et circa praecedentia praescripta silentium altum teneat. Quo circa suppliciter rogo ut haec dubia S. R. C. solvat.

1° Requiriturne, ut valeat aliquod Decretum S. R. C., ut reperiatur scriptum in authentica collectione?

2° Si aliqui errores historici in praedictum Decretum 26 Aprilis 1883 irrepsissent, auctoritas ejusdem Decreti essetne invalida?

3° Decreta circa cantum Gregorianum remanentne certa et in pleno vigore conservanda?

✠ N. JOSEPHUS,
Episc. Petroc. et Sarl.

PETROCORICEN.

Die 5 Junii 1885.

Decreta SS. Rituum Congregationis a Summo Pontifice confirmata omnino servanda.

LAURENTIUS SALVATI,
S. R. C. Secretarius.

Locus ✠ sigilli.

Notandum. Cantus Gregorianus juxta approbatam editionem Romae jamdiu usu viget, ideoque nulla opus est praescriptione aut hortatione ut introducatur prout in aliis diocesibus ubi nondum introductus fuit.

NOTICES OF BOOKS.

Louise de la Valière and other Poems. By KATHERINE TYNAN.
London: KEEGAN, PAUL, TRENCH, & Co.

We bid this little volume a hearty welcome and wish it success. It is not mere verse; it is poetry; it warms and moves. Miss Tynan felt before she wrote; indeed it is plain that some of these pieces were written because the author felt so keenly.

The subjects of which she sings are chiefly religious and descriptive; and these are most suited to the singer's youth. Not that religious verse is fit only for girls; there is a depth of mystery about life and eternity that must always have a charm for the greatest minds. And what can be more suited to poetry than that in which we feel strongly and deeply? Job was a poet of no mean order; Carlyle calls his book an "oldest choral melody as of the heart of mankind." Should we have the *Inferno* if it were not for religion? And the same is true of the best poets of every age.

All this should not lead the reader to expect Miss Tynan to rival the flights of Job or of Dante. But he may expect sweet, and withal deep, strong thoughts, which will gain in depth and strength as her years roll by. She has great capacities, a heart with large feelings and wide sympathies, an eye and an ear for all that is beautiful in nature and in art, and a fine sense of harmony and rhythm. But the greater depth and strength must come from study, thought, meditation.

The descriptions are the best things in the present volume. The poetess has a soul for beauty—of line, of colour, of sound, of all that strikes the outer sense or the inner feeling. The following is but one of many specimens; it is from a poem entitled "At Set of Sun:"

"Within the Church long shadows on the wall
Come and are gone; the hours have lingering feet;
And the great organ's pulses rise and fall,
Waking to life in rapturous music sweet,
Weaving a poem ever mystical.
Without in a high western world of gold
As, loth to leave, the sun goes tenderly;
The trailing glories of his vesture's fold,
Amber and rose and all fair hues that be,
Float all transfigured in a sapphire sea.
In the low hedge the brown birds chirp and sing,
And the wan wild rose opes its jewelled eye
Lighting the briar; the elder blooms are white;
Where late the hawthorn stars were blossoming,
Now woodbine doth its sweet breath render up,
And the rich air grows languorous with delight."

The volume has just opened at another passage which is so characteristic that we cannot forbear to quote. It is from the poem, "Waiting," which tells how a band of Fenian warriors sleep in the enchanted cave. Finn speaks :

"I would the sweet earth were my dwelling-place,
Shamrocks and little daisies wrapping me !
There should I lie and feel the silence sweet
As a meadow at noon where birds sing in the trees ;
To mine ears should come the patter of little feet,
And baby cries, and croon of summer seas,
And the wind's laughter in the upland wheat."

One feels the beauty of the passage, though perhaps at a loss to imagine how the "*silence*" can be sweet "as a meadow at noon where birds *sing* in the trees ;"

The workings of the heart—which we have ventured to call the "inner feelings"—are more difficult to analyse and express ; but so much the greater credit when it is well done. Miss Tynan gives us a few examples of great promise ; here is a stanza on Goldsmith :

"He sang of happy homes who home had none,
Of sweet hearth joys whose way was lone and bleak,
And oft his voice rang out with truest tone
When wintry winds froze tears upon his cheek.
A deathless fount of joy was ever springing
From out his bright child-nature pure and sweet,
Soft comforting and surest healing bringing ;
And when earth's sharpest thorns had pierced his feet,
His way was gladdened with his inward singing."

There is a poem on "The Flight of the Wild Geese." Miss Tynan tells again the sorrowful story—how they passed away, leaving Erin to watch with sick eyes for the return of the brave sons who were never to come back :

"The spring came up through meads of light
With robes of primrose hue,
The stars were shed so thick in May,
Each hedgerow shone a Milky Way,
The swallows homeward flew.
Rare ruby cups of incense bright,
The red fire at the core,
June roses swung in garden close,
Gold autumn came, white winter's snows
Sped from the northern shore.
And they came not, O well-beloved !
In all the empty years,
Thine own fair heroes wandering,
No welcome beat of strong white wing
Made music in thine ears."

It is one of the saddest of the dark annals of Eire, and our

poetess has a genuine sympathy for human sorrow ; and for human passions too she has a deep tender pity :

“ Alas, that a human heart should breathe
For such as this,
Just from a bright false dream to wake,
For the loss of a phantom kiss.
Christ keeps us all for his pity's sake !”

In that last line there is a touch of Coleridge at his best.

There is also a new setting to the old story, “ King Cophetua's Queen,” from which we should like to quote many things, as also from the poem which gives its title to the volume, “ Louise de la Vallière ;” but these are pieces which extracts could not fairly represent.

And now for our censure ; it shall be brief. Miss Tynan has been already told by critics of some peculiarities, little niceties of expression, fondness for certain words and phrases, tendency to describe over again the same beauties—all this is true. She did not feel it herself, neither did her readers feel it until the poems were collected ; but now one cannot fail to notice these things.

We think too that she would do well occasionally to write at less length. The poet must wait for the inspiration ; he must be urged by feeling into song. This, however, is a matter of taste, and as such to a great extent beyond rules. One feels where a description loses force by too great crowding, though it is often difficult to say which touch one would be inclined to omit.

In “ The Dreamers,” Miss Tynan shows a tendency towards the obscurity that has become so fashionable in modern times. Beware. Obscurity may arise from one of two sources—either because the poet's thought is deep, mysterious, above language ; or because he does not sufficiently express ideas which are ordinary enough. In the first case he may write sublime poetry ; in the second he writes neither poetry nor prose.

We wish the little volume the success which it deserves ; and we hope in the future to read poems from the author's pen which shall be free from the little failings we have here pointed out, and at the same time full of that rich and vigorous music of which she now gives such fine promise.

W. McDONALD.

Hymns and Verses. By LADY CATHERINE PETRE.
London : BURNS & OATES.

This is a collection of short poems written at intervals. The volume is in two parts, of which the first contains those verses which Lady Petre wrote before her conversion ; all the pieces in the second part were produced after that event. “ Conversion” is her own term, else we should hesitate to apply it to one who was all her life pouring out songs of purest Catholic spirit.

Many of these verses are very sweet and tender; the rhythm is always correct and the metre regular; the ideas are those of a good lady who has ever used high intelligence and faultless taste for the cause of God and of truth. Lady Petre has felt sorrow too, and borne her cross with patience and humility; many of her verses will greatly assist others to bear their burdens in the same spirit. Her volume is specially suited to families and religious communities.

W. McD.

"Catholic and Rejoinder." By Monsignor CAPEL. PUSTET & Co., New York and Cincinnati.

We are glad to welcome this new and enlarged edition of the *"Catholic and Rejoinder."* The fact that it has run through six editions within the short space of a year is a forcible expression of its popularity. The Catholicity of the Church which, as intimated by the title, is the subject of the book, is one that has been treated so often from the days of Cyprian, Cyril, and Pacian, down to our own, that we cannot expect much originality in the different arguments. In the manner of stating and developing the arguments we can look for originality, and in the attainment of the latter no one, who reads the book, can doubt that Monsignor Capel has been eminently successful. His aim is to establish the two following points, (a) That the Catholicity essential to the True Church is a *formal* one, which consists in the existence of her children in every part of the world, while at the same time they are bound together by many ties but especially by a governmental union, which, to use the words of Origen, makes them "a nation of all nations." (b) As a consequence of the last proposition, that the Protestant Episcopal Church of England and that of America, each "a corporation with a separate autonomy, self-constituted and self-named," cannot claim the title of Catholicity, which is, and ever has been, recognised as the exclusive privilege of the True Church of Christ. The part called the "Rejoinder," which has been added in the two last editions, is an answer to a pamphlet which appeared from the pen of a Protestant Minister soon after the publication of the "Catholic." It will be found interesting, both as showing the disingenuous means used to sustain the tottering edifice of the Anglican Church, and as containing a forcible refutation of the arguments by which it is sought to claim for that Church the right to be recognised as Catholic. If any portion of the book could be selected for special commendation it is that which deals with the connexion between the early Christian Church in England and the Apostolic See.

T. G.

Characteristics from the Writings of Cardinal Manning. By W. S. LILLY. BURNS & OATES.

The writings of Cardinal Manning are so voluminous and so varied in their subjects that we naturally ask ourselves how it was possible that from his other heavy missionary duties he could spare

so much time for literary labour. To those who cannot have the pleasure of reading his works more fully, this book of "Characteristics" will afford many specimens of his forcible and attractive style, and "exhibit his mind on some of the principal topics of the day," while those who have read them at greater length will appreciate it as a handbook that will recall many truths acquired by more extensive reading. The pleasing work of compilation has fortunately fallen into competent hands. Mr. Lilly shows great taste and judgment in the selection of the different extracts, and their classification according to subject under the different heads, political, philosophical and religious. There is at the end a valuable index, alphabetically arranged, which facilitates very much reference to any portion of the book. T. G.

Life of Right Rev. John N. Newmann, D.D., of the Congregation of the Most Holy Redeemer, Fourth Bishop of Philadelphia.
From the German of Rev. JOHN A. BERGER, C.S.S.R., by
Rev. EUGENE GRIMM, C.S.S.R. Second Edition. New
York, &c. : BENZIGER BROTHERS.

Dr. Newmann was a native of Bohemia. He was trained for the priesthood in his own country, but his ordination took place in America. After working for four years on the secular mission, he joined the Redemptorists in October, 1840. Little more than three years had passed when he was made Superior of a house; three years later he was appointed Vice-Provincial; and when five other years had elapsed, he became Bishop of Philadelphia. His missionary career extended from 1836 to 1860, a trying time for the rising American Church with which Catholic Ireland is so closely connected.

In every stage of his course Dr. Newmann was remarkable; his "Life" is a most edifying book, particularly for priests and ecclesiastical students. Few clergymen could read of his study, piety, and zeal, without being strongly moved to similar efforts. The glimpses which we get into the holy bishop's heart, from his own letters and journal, are specially interesting. We wish this book a large circulation. W. McD.

Commentarium in Facultates Apostolicas, quae Episcopis nostris concedi solent, ad usum venerabilis cleri Americani. Auctore
A. CONINGS, C.S.S.R., New Eboraci, . . . BENZIGER
FRATRES. Londini : BURNS & OATES.

This Commentary must be very useful for the American clergy. It has not, of course, the same value for Irish priests, as the *formulae* are not the same in both countries. It would, however, be a valuable guide if any of our theologians would undertake to do for Ireland what Fr. Henings has done for America. Such a Commentary on the faculties given to Irish bishops is badly wanted and would be sure of an extensive sale. W. McD.

Francis Macary. By HENRY LASSERRE, Notre Dame Indiana.
(Ave Maria Press.)

The facts treated of in this little volume, the details of which are vouched for by several persons of position and respectability, exceed in interest the fictions of many stories. Francis Macary, after years of suffering uncheered by faith, was so happy as to light upon a book entitled, "Our Lady of Lourdes." The reading of it induced him to procure some of the water from that grotto, for the purpose of applying it to his diseased limbs. On the night of the 19th of July, 1871, with an invocation to the Blessed Virgin (the first prayer which had escaped him since his childhood), he bathed them with it, retired to rest, and rose in the morning healed. The result was his conversion, which M. Lasserre tells in that striking style peculiar to all his writings about Lourdes.

Rosa Ferrucci. By HENRY PERREYVE, Notre Dame, Indiana.
(Ave Maria Press.)

Like the preceding, this miniature comes from beyond the Atlantic. But Rosa Ferrucci was not an American. She was an Italian lady, daughter of a distinguished Professor of the University of Pisa, in which city she lived and died. Her holy life, which is so thoroughly revealed in the specimens of her letters before us, and her edifying death, persuade us that the young have in these pages a lesson and a model. May they be induced to take the one, and imitate the other.

"*Better than Gold*," by Nugent Robinson, like those just noticed, issues from the "Ave Maria Press," and is the third number of the "Ave Maria Series." But unlike them it deals with the realms of fancy. It is not, however, to be found fault with on that account, nor indeed on any other. Variety is in itself a recommendation, but "*Better than Gold*" has much besides to recommend it. Readers of the "Catholic World" will at once recognise the fresh, lively style of the author of "*My Raid into Mexico*," the very exaggeration of which is not without its charm.

The Fact Divine; Translated from the French by EDMUND J. A. YOUNG. Portland, Me. M'GOWAN and YOUNG.

The Fact Divine is an admirably concise and clear statement of the evidences of Revelation. As its name implies, it deals chiefly with the events which put beyond all question the heavenly origin of our religion. Into these it inquires, and establishes by plain yet telling arguments their authenticity. In a short notice like the present, it is impossible to say all that we would wish about the book. Written in French by Father Broecker, a Belgian Jesuit, the translation before us is the work of a distinguished American who has well executed his task. It would

perhaps have been better, had Mr. Young not allowed any of the Latin foot notes to remain. Their appearance may possibly deter many from the perusal of the book as dry and over-learned, whereas, the fact is, that while displaying an unusual amount of learning, it is so put as to be most interesting and highly agreeable reading. Besides the approbations of the Bishop of Portland, and Father Piccirello, S.J., both of which are given to the English version, we have prefixed to the volume the approbation of the original by the Archbishop of Mechlin, and the congratulatory letter of the Bishop of Liege to the author. P. L.

Historical Researches in Western Pennsylvania (Pittsburg, MYERS, SHINKLE & Co.), is a new quarterly which deserves local support. The main object of the magazine is to collect information, while the sources are yet available, regarding the rise and progress of the Church, with the ultimate purpose of supplying full and authentic materials to the future historian of Western Pennsylvania and the adjacent country. In the two numbers before us the editor has brought together much information that is as interesting as it is rare.

A Funeral Discourse, and Funeral Words (London: BURNS & OATES) are two sermons delivered by Fr. GALLWEY, S.J., the first over the remains of Lady Georgiana Fullerton, and the other over Mr. Charles Weld. As sermons, they are not unworthy to be proposed as models of their kind—containing not only a graceful tribute to the worthy dead, but instruction too and elevating thought.

Memorial Words (London: BURNS & OATES), by Fr. COLERIDGE, S.J., is the title of another sermon on Lady Georgiana Fullerton, which fills in many incidents and thoughts not noticed by Fr. Gallwey.

The Rev. JOHN PLACID CONWAY, O.P., gives quite an exhaustive history of Abingdon and its Abbey in his learned pamphlet, "*The Story of Early and Mediæval Abingdon*." (London: BURNS & OATES).

Theses Defendendæ, &c., is the title of a syllabus of twenty-three theses in Logic and Ethics, which formed the subject matter of a monthly disputation in the Philosophical School for Jesuit Novices at Miltown Park, Dublin. The syllabus certainly represents a splendid month's work.

[We have received, but too late for publication, from Rev. J. S. Vaughan, St. Bede's, Manchester, a reply to Father Murphy's last article on "Faith and Evolution." It will appear in our next number. Ed. I. E. R.]

THE IRISH ECCLESIASTICAL RECORD.

OCTOBER, 1885.

PERNICIOUS LITERATURE AND ITS REMEDY.

IN our own day the Church has to encounter a new danger. The art of printing is now an old discovery, but the greater facility given to it by steam machinery, and the immense consequent reduction of its cost, and, at the same time, of the cost of disseminating its productions by steamer and rail, gives it the character of a new invention, so completely different is it in its daily use and applicability. And a grand invention it is; but like other great and useful inventions, it admits of being misused and turned to dangerous and pernicious purposes. And in our own days the enemies of religion have not been slow to use it to such purposes. When printing was first invented the Church gave every encouragement to it, but at the same time made wise regulations to prevent it being turned to the injury of faith and morality. But its power to do this is no longer equal to its authority. In most countries the freedom of the Press is looked on as a sort of palladium of liberty, like the *Habeas Corpus* and the right of petition. Any attempt to curtail or even to control it would raise an outcry. Public opinion is all in its favour; yet though it is indeed a great power in restraining oppression, injustice, and evil doing, from the evil doer's fear of being exposed, it involves a huge power of mischief, in that every one is able by means of it to promulgate misleading views, coloured or one-sided statements, and even downright lies.

It is, indeed, imagined that people may be guarded from being misled or deceived by going on reading and thus getting misstatements corrected, and hearing opposite

opinions so as to come on the whole and at last to a true judgment of things. But this is not so; for in the first place the bulk of men are not thoughtful, nor possessed of much judgment. They are incapable of estimating statements at their proper value, of balancing evidence, and drawing logical conclusions. When they are not led by their own prepossessions, they are as often as not so led away by any clear or interesting or lively statement, as to be disinclined even to listen to a counter statement or to an explanation. Men do not generally even read both sides of a question, but only one side; they want to hear all that is to be said on that side, and are ready to have all that can be said on the other side explained away. The great bulk of men, women, and children, have not much of the judicial mind, or at least it is after the fashion of the judge we have all heard of who was quite satisfied with hearing one side of a case, and who only found his mind confused by hearing both sides. The idea that men are ordinarily capable of hearing and reading what comes in their way, and drawing just conclusions by themselves, is a pure fable.

Yet it is a fable that is flattering to our vanity. It appeals to that self-conceit which is seldom without place and life in the breast of each one of us when questions of morality, or politics, or public duty, or expediency are set before us as matters which are to be judged of and decided by ourselves; as if public opinion were the only judge of what is right, true, just and expedient; and this is what a free Press and unrestrained reading is doing, and cannot be restrained from doing, in the present day. There is no restraint of any kind. There is no lack of publishers who will publish anything that will sell. Nor is there any lack of writers who can write what is sensational and exciting, appealing to sensual or political passion, suggesting to men that they are kept in ignorance or are under delusion and ought not to be contented to remain as they are; calling on them to think for themselves, and to claim freedom from the trammels of authority to follow their own judgment on what is best for their happiness, and most for their good. There are in most countries people who are engaged in encouraging the manufacture and pushing the sale of literature of this sort. In some the evil has not yet far advanced, and thus has not attracted much attention; but it has begun. In others it has reached a huge magnitude, and has done frightful

mischief. It is a danger that must be confronted and contended with. It cannot be put down or got rid of. In what manner can it be met?

In those places where the evil has made so much progress, that bad literature is in possession, so to speak, the prospect of any successful resistance to it seems gloomy enough. But in Ireland this is not the case. Many indeed will be disposed to think that the mass of the people are too firmly established in the faith, and rooted in good habits, to be much injured by bad literature. Their spiritual system is in such strong health, that it will reject the poison. God grant it may be so! But if the present generation is safe, is the rising generation equally so? Do they continue to show so deferential a spirit to the old ways—to Parental and Spiritual authority—that there is no fear for them? Or is there need for some care and precaution to preserve them under the dangers of a new temptation? Is it not at least necessary to warn them of a danger of which they have hitherto had no experience, and to bring them up to understand that they can no longer be preserved safe from harm by the protection of others, but that they must learn to take some care of themselves, and that their learning to do this is the most hopeful security against mischief.

For after all though you may lead a horse to the water you cannot make him drink. The most industrious disseminators of pernicious literature cannot make people buy their papers, periodicals, and books if they do not choose to do so, and even if these are disseminated gratis, as is done extensively on the Continent for political objects, yet no one can be forced to read them. If only it comes to be known that poisonous food is on sale, men will learn to be cautious, to discriminate and to avoid whatever is doubtful or dangerous; and in a country like Ireland, where the people are still to a great extent faithful to the traditions of their Fathers and the teaching of the Church, it is still within reach that they should be successfully awakened to the new danger and fore-armed to encounter it.

But in what way can this awakening be effected?

People commonly talk as if the bishops had it in their power to do what they like in these matters—that if only a bishop takes a question up and speaks to the clergy and people the thing is done. Would that it were so—that the reverence and obedient submission to those who feed the

flock of Christ were so great and so universal that their expressed wishes or warnings were the rule of conduct to their people. But it is of no use for things to be put off in this way on the bishops, as if they could do every thing by themselves, and as if no duty or responsibility lay on any one else. It is indeed for the bishops to approve, to authorize, to initiate measures—to give the word as to what should be done and their blessing to the doing of it; but it is we—the Clergy and the Faithful at large—who have to do the work in any movement that is to go on and succeed. While the Pastoral of the Bishop is indeed necessary to justify a movement, yet it must have the support of *personal influence and exertion* to become ultimately successful.

For what is the way in which men are guided in the practical details of daily life? We know how thoughtless most people are, and especially young people. They hear a Pastoral read, or an instruction given by a priest, but do not at once enter into the practical application of it to themselves. The moment for this comes and is past before they think of it. And yet—*quam parva sapientia regitur mundus*—any ordinary person—a friend, a companion, a child or a fool only says to us ‘you mustn’t do that,’ and we desist, or ‘look here, do this,’ ‘this is the way,’ ‘come with me,’ and we obey. It is sufficient that our attention is directed to the thing at the moment, and we do not even stop to reflect what is best; we go on. How much power then to influence our conduct have our friends and companions, if they will only speak out; and still more our parents, relatives and spiritual guides! The Dicta of Ecclesiastical authority are not enough; it is *personal influence* which is the practical means for giving effect to that authority.

What we want to do is in this way to create and cultivate a conscience among our people on the matter of reading. In the present condition of society it is no longer possible for the Church to preserve people from poisonous literature as it once did. We need, therefore, if they must be exposed to this danger, to awaken and inform their consciences on the duty of taking care of themselves. For somehow—from the novelty of the situation or some other cause—we find many people conscientious enough about other things who do not seem to have a conscience about what they read. Anything professedly immoral, or written against the Faith, they would reject; but short of this, they do

not seem to think they have any need to discriminate between wholesome and unwholesome literature. In history, philosophy, poetry, science, travels and fiction, they feed their mind, without scruple or fear, on what presents itself; unconscious of the falsehood, and perversions of the truth, and one-sided views, and misleading ideas, and disloyal thoughts to God and religion, and degraded tastes, and incitements to sensuality, which they are taking up into their system. These are seeds of vice and irreligion, and like other seeds, they spring up and grow, and make the character in after years. Moreover, the very tenderness for innocence which makes our colleges and convent schools so scrupulous of letting those under their tuition breathe anything but the purest air, without taint or suspicion of evil, has yet this drawback, that it does not fit those who are to go forth and live in the corrupt atmosphere of the outward world to discern and to be on their guard against its dangers. Many make their first acquaintance with these dangers, not while they still enjoy, but when they have just lost, the watchful care and kind guidance which would direct and uphold their steps. But if this is unavoidable, yet how much might be done to minimise the evil by thoroughly instructing the conscience on the duty of discrimination in reading, and fore-arming it by precautions against mischief. There are many young people who, while not too ready to be dictated to, will yet take an interest and pride in taking care of themselves, and may be easily put up to this.

There is, however, a point of some importance to be attended to, as it seems a condition of success. It is not enough to tell people that they must not read this or that. You must tell them what they may read. Some years ago a friend of the writers, whose wife was a great sufferer, told him that her health had improved very greatly under the treatment of a fresh physician, who prescribed what she might take and do, instead of prescribing what she might not. Instead of forbidding walking exercise, he ordered a drive; instead of enumerating the kinds of meat, vegetables and drink which would be deleterious, he recommended a few that would be suitable and serviceable; and though the actual regime did not substantially vary from the previous treatment, the effect was entirely different. It will be same in the treatment of the mind. While restraint and abstinence from unwholesome reading is indispensable, yet this is most easily effected by a good

supply of suitable literature and a little encouragement to use it. In this way the feeling of constraint and interference is removed and the chances of success greatly improved. Nor must it be forgotten that the mind, when once excited to activity, craves for knowledge. At the present day our men, women and children are learning to believe, whether we will or no, that they have a right to know what is going on in the world, and think about and discuss matters themselves, and they are not satisfied with being ignorant of what others know. Any attempt to keep them back, if not completely effective, might be fatal. But why should it be attempted? Knowledge is a good thing. It is the very food of the mind. What is needed is not to restrain the appetite for it, but to see that it feeds on that which is wholesome and nourishing.

But how, it may be asked, can we secure a selection and supply of good literature? In colleges and convent schools there are those who are capable of judging what is suitable for their pupils, yet even they complain of the difficulty, much more than will others feel it. Indeed it is practically impossible for any but those who are connected with the publishing of literature, and who have experience, judgment, and time for the purpose, to be able to advise on what is suitable for different purposes and classes of readers, and to facilitate the supply. If we go to the publishers, they are, each one of them, conversant with their own special line of business, and are interested, very reasonably, in the sale of their own publications. Nor is it desirable to do any injury to their useful and valuable work. What is wanted is some means of selecting from the books and periodicals of the different publishers such as suited for different classes of readers,—books suited for the country or town or village library, for young people in colleges or schools, for families, for students, or as prize books. An institution which could provide for this would not injure publishers, but greatly promote the sale of their works. It would have no interests of its own to serve beyond paying its working expenses. Its one object would be the selection and supply of works of all kinds, by whomsoever published, if only they could be recommended as good books of their kind—instructive, interesting, intelligent, and free from moral taint. For our people to read, and to read plentifully, of such books would afford healthy recreation and intellectual improvement.

In England St. Anselm's Society was established more than twenty years ago, and has lately been started afresh, for this very purpose. It has received the express sanction of the Holy See, and is under the patronage of the English and Scottish hierarchies, and is not unknown in Ireland, where it has received encouragement in high quarters. There is nothing to prevent its having a new and separate establishment there, or, if it was thought more desirable, some fresh institution of a similar character might be founded, especially intended to assist colleges, convents, schools, the clergy, and others in Ireland who feel the danger and want of these times, to do the work of selecting, classifying, exhibiting, and, if desired, supplying books that may be recommended or at least tolerated: we say 'tolerated,' for the object at present is not so much to promote the good work of spiritual or pious reading, as to counteract and frustrate a bad work, and in many cases it may be wise to be large-minded, and in selecting books not attempt too much at once. It is a great thing if pernicious, misleading, demoralizing, unhealthy literature, can be replaced by what is not of this character. But if we exclude standard and well-known works or papers, whose tendency is not bad, and offer too much literature that is dry and uninteresting and unknown, on the sole ground that it is safe and unobjectionable, we may have need to fear lest we end by increasing instead of diminishing the taste and demand for bad literature. It is a great authority who said that "to be ever safe is to be ever feeble."

Should any of our readers desire to know more of the plan and working of St. Anselm's Society, application may be made to the Society's Depository, 5, Agar-street, Strand, London, or to the present writer,

J. G. WENHAM.

ADRIAN IV. AND HENRY PLANTAGENET.—III.

“History may in the perversion serve for a magazine furnishing offensive and defensive weapons for parties in Church and State, and supplying the means of keeping alive, or reviving dissensions and animosities, and adding fuel to civil fury.”—*Edmund Burke*.

THE arguments in the preceding sections of this essay have been designedly of a discursive character. In taking this line the writer has followed the course of the advocates of the authenticity of the “Bull of Adrian IV.” From their style it is plain that they have judged their case to be one, in which no part of the evidence was strong enough to stand by itself, and in the fierce ardour of controversy they have accepted the support of unworthy literary auxiliaries who day by day are disappearing from the ranks of historical writers.

We shall now approach “The spurious Bull of the much maligned Pontiff Adrian IV.,” as it is designated by His Eminence Cardinal Moran,¹ albeit it stands in the Roman Bullarium. It may be well to premise that the Bullarium is nothing more than a collection of documents, gathered in many instances from very doubtful sources, and put together by a private hand. No attempt was made to collect the Bulls of the Roman Pontiffs until the year 1550, and the first edition included only seventy of these documents. The subsequent investigations of Cardinal Caraffa, Labbe, Martene, Mabillon, &c., enabled Cocquelines to produce in 1739, the immense collection which bears his name, extracted, as he tells us, from “burial places” in various libraries, and obtained sometimes even from heretical sources; and he takes care to inform us that his work is a private one, and unsupported by any public authority. The “Bull” of Adrian IV. he gives on the authority of Mathew Paris and Giraldus Cambrensis.² From the pages of these very questionable writers it has found its way into the Bullarium. Hence it is in possession. The advantages are on the side of its supporters. A violent eviction is impossible. All that we can do is to scrutinize its features, and demand proof of its legitimacy, and

¹ IRISH ECCLESIASTICAL RECORD, November, 1872.

² Bullarium Amplissima Collectio., vol. i.; Pref. pp. 4, 9; vol. ii., p. 351. Romae, 1739. On the subject of supposed Papal documents, see Father Ryder “False Decretals” (Catholic Controversy, p. 177).

of its right to occupy a place in the Bullarium of the Roman Pontiffs. We have seen that the alleged motives for its appearance did not exist; our next step is to show that the "Bull" is destitute of all necessary formalities and vouchers, and that its style and spirit are in glaring contradiction to all the authentic Bulls of Adrian IV., and, as far as the present writer can make out, to every enactment, which in the course of ages has emanated from the Roman Pontiffs, in dealing with the Bishops, and organized hierarchies of the Catholic Church. The use of italics will perhaps help the reader to appreciate the salient points:—

"ADRIAN, Bishop, Servant of the Servants of God, to our most dear Son in Christ, the illustrious King of the English, greeting and Apostolic benediction: Your highness with no slight profit and praise, has fixed your mind on the extension of a glorious name on earth, and the attainment of an eternal reward in heaven, when, in the spirit of a Catholic prince, *you set yourself to widen the boundaries of the Church, to announce the truth of Christian faith to ignorant and uncultivated nations, and to root out the weeds of vice from the field of the Lord*; while in order the more fittingly to carry out your purpose you ask for counsel and favour from the Apostolic See. In which undertaking we are confident that the blessed results will be, with God's assistance, *in proportion to the exalted character of your designs, and the discretion with which you pursue them*, since works which are *inspired by an ardent faith and love of religion*, are always certain to have a holy end and fulfilment. Truly, and without doubt, as your Majesty acknowledges, does Ireland and all the other islands on which Christ the Sun of Justice has shone, and which have received the traditions of the Christian faith, belong to St. Peter and the most Holy Roman Church. Wherefore do we plant in them a faithful seed dear to God, with a willingness proportionate to the strict account which we foresee we shall be compelled to render of them. Most beloved son in Christ, inasmuch as you have informed us of your desire to enter the island of Ireland with the intention of bringing that people under the control of the laws, and of extirpating the weeds of vice; purposing also to pay the annual tribute to St. Peter of one penny on each house, and to preserve the rights of the churches of that land whole and inviolate. We, therefore, sympathizing in your pious and praiseworthy desire, with befitting good will, and with gracious assent to your request, will take it as a pleasing and acceptable service, that for the purpose of *extending the boundaries of the Church, restraining the torrent of vice, and diffusing the Christian religion*, you should enter that island and *put into effect those things which concern the glory of God, and the salvation of that country*; and that the people of that land should

receive you with honour, and venerate you as lord. The rights of churches remaining without doubt untouched and entire, with reservation of the annual tribute of one penny to St. Peter and the Most Holy Roman Church. If, therefore, you determine to carry out those designs which you have contemplated, *set your mind to the work of infusing good morals* into that people, and take such steps as well in your own capacity, as by those whose faith, doctrine, and life, in your judgment, shall qualify them for the work, so that in that country the Church may be adorned, and the Christian faith and religion *planted* and increased; and see that all that tends to the glory of God and the salvation of souls be ordained by you, that you may deserve from God an increase of eternal reward, and on earth obtain a glorious name throughout all time."

Whensoever the authenticity of any document is questioned, if at the same time undoubted writings of the same author exist, it is obvious that comparison is an essential element in the discussion. In the Roman Bullarium we find twenty-one Bulls of Adrian IV. They are all concerned with questions of ecclesiastical privileges. Five bear the seal or *Bulla* of the Pope: eighteen are signed by the Pontiff himself; but all, without exception, give the name of the Chancellor of the Roman Church by whom they were delivered. Amongst these the editor of the Bullarium of 1739, on the authority, as he tells us, of Giraldus Cambrensis and Mathew Paris, introduces a letter from the Pope to *some English King*; no name of said King being given. The letter bears upon it neither seal, date, nor evidence of delivery: it is addressed to no one, signed by no one, and hence it has neither beginning nor end.

It cannot be said that the absence of signature, &c., is, by itself, sufficient to invalidate the document; but it is very remarkable in the present instance, as the Bulls of Adrian IV. are distinguished by their singularly rigid legal formality.

In the Patrologia of Migne (vol. clxxxviii.) we find two hundred and forty-seven documents which are attributed to Adrian IV. Amongst them there are ten which are unsigned and informal. Of these, some are fragments, and all are papers of transitory importance, the original form of which it was no one's interest to preserve: whereas the "Bull" was Henry's only title-deed to a kingdom. At the same time, in each and every one, with the exception of the "Bull," we find an intelligible, legal statement of the case, with the proper names and addresses of the persons concerned. The libraries and archives of

Italy, France, Germany, Spain, England, Scotland, Poland and Greece, in fact of every Christian country except Ireland, have delivered up their evidence to the active and powerful administration of Adrian IV., and each document, whether complete or mutilated, bears the stamp of that jealous defence of the established rights of churches which is seen in so marked a manner in all the writings of this Pontiff.

The following extracts will give the reader some idea of the spirit which animated the enactments of Adrian IV. To his "Venerable Brother Raynerius, Bishop of Siena," he writes :—

"Whereas the charge of Sovereign Pontiff, laid upon us by God, makes it our duty to cherish all Christians, and be ever ready to give ear to their prayers ; in a special manner are we bound, with paternal solicitude, to act with foresight in dealing with our brothers in the Episcopate, and in the exercise of that office to embrace them with a still greater effusion of charity," &c., &c.

"(Signature) EGO., ADRIANUS, Cathol. Eccl. Episc.

"Dat. apud Civitatem Castellanam per manum Rolandi S.R.E. Presb. Card. et Cancellarii, xii. Kalen. Augusti Indictione iii. Incarnationis Dominic anno MCLV. Pontif. vero Domini Adriani Papae IV. anno I."

To Henry, Patriarch of Grado :—

"We are witnesses at once to the dignity of the Apostolic office entrusted to us, and to the useful exercise of our trust, when with watchful care we guard the privileges of individual churches so that their rights may be preserved untouched," &c., &c.

To a Monastery in Prussia :—

"The care of the Universal Church has been entrusted to us by God, the Provider of all that is good, that we may show our love for those who are dedicated to God, and that by every means in our power we may propagate those Religious Orders which are pleasing to Him . . . It is the duty, therefore, of all who love the Christian faith, to be devout to the Religious Orders, and watchfully to maintain holy places, together with those who are set aside for the divine service, so that they may not be disturbed by any vexations of evil men, or wearied by their insolent tyranny," &c., &c.

No document, however, is so much to the point as Adrian's letter to Louis VII. of France which is given by Mansi, as well as Migne.¹ In conjunction with his vassal,

¹ Conciliorum collectio, vol. xxi., page 818. Patrologia, vol. clxxxviii., p. 1695.

the king of England, Louis asked the Pope's permission to undertake a crusade against the infidels and apostates of Spain, for which purpose he had already collected his troops, and made his preparations. The king of France was a loyal son of the Church, and Adrian did not deny that his purpose was a good and holy one. For all that he withheld his permission, and this in words which are a categorical repudiation of every sentence in the supposed missive to Henry Plantagenet.

He tells the king that his impetuosity had filled the minds of many with astonishment and anxiety (*multos attonitos et suspensos.*) "To enter a foreign country," continues the Pope, "without a consultation with its rulers and people, appears to be both incautious and dangerous. As We understand the matter, you are preparing to hurry thither before you have asked advice from the Church, and rulers of the country; whereas, such an attempt should on no account be made until, in the first place, its necessity has been brought under your notice by the rulers of the said country, followed by an invitation on their part . . . by these present letters We suggest that your Highness should inquire into and investigate the necessities of the country with the help of the rulers of that kingdom, and that you should diligently study the wishes, not only of its church and rulers, but also those of the people, and that, as is becoming, you should take their advice" (*ab eis consilium sicut decet accipias*), and the Pope goes on to say that otherwise "We ourselves, for many reasons, might appear to be capricious (*Nos ipsi leves in hoc facto possemus multipliciter apparere.*")

There is no question as to the authenticity of this document. People do not invent refusals, and moreover it is as much in keeping with the undeviating principles of Adrian IV. as the Plantagenet Bull is antagonistic.

These extracts will suffice to reveal the spirit which animates the Bulls of Adrian IV. They confirm the evidence already drawn in the text from his letters, and his character, and they are a striking revelation of his vigour and sagacity in the government of the Church. The more closely we study the spurious letter attributed to the Pope, the more evident it becomes that it is the composition of a layman. Any ecclesiastic, with the faintest acquaintance with the modes of procedure of the Roman administration, would have understood, that to give the document an appearance of validity, the name of some

Prelate should have been introduced as delegate or representative of the Pope. At almost every line the letter reveals the swordsman—the self-appointed military missionary. In the Pope's Bulls everything goes slowly; they bristle with the proper names of individuals and places, whose rights are all respected and adjudicated, whereas in the supposed Commission to Henry, the judge comes with lance in rest as if he were charging the Moslem, without any distinct reference to those “undiminished rights (*jura illibata*) of each and every church,” in the defence of which, as we have seen, Pope Adrian was ever immovable. It is the laity who are given over to the king as his instruments. This was certainly the style of ecclesiastical government which Henry tried everywhere to establish; but even the laity, in those days, were wise enough to prefer the clearly defined, and limited jurisdiction of their Bishops.

Up to this point our arguments have been drawn from events which were known to the whole world. In the case of history, however stormy, this is generally a satisfactory mode of procedure: in the end it is the clouds which pass away, while truth reigns like the stars. Not so, however, with questions which have been narrowed to mere critical and documentary dimensions, especially in cases where originals cannot be produced. In entering on this part of our subject, our best plan, therefore, will be to state the case in favour of the “Bull,” in so far as it rests on the existence of the document.

The letter of the Pope is stated to have been written in 1155, immediately on his accession to the Pontificate, at the suggestion of John of Salisbury, and it is asserted that the King of England produced it before his Council at the time; but that he was dissuaded from taking any steps towards putting it in force, by the counsels of his mother, the Empress Matilda. Nothing more, as far as we can learn, was heard of the “Bull” in Rome, England, or Ireland for a period of twenty years, until in 1175, seven years after the landing of the Normans, and sixteen years after the death of Adrian, when Henry is said to have exhibited it at a Synod held at Waterford.

In spite of the suspicious concealment of the letter for the space of twenty years, the story holds together until we investigate in detail the evidence for each of these statements. We find that they are all disputed by grave authorities; but the battle has to be fought on such

uncertain and slippery ground that it is hard to see how it can ever be decided, unless it is kept on the higher level to which we have raised it. However, as it would seem like a confession of weakness to avoid this part of the discussion, we shall select what seem to be the essential points.

The earliest writer in whose pages the "Bull" is to be found is Giraldus Cambrensis. It was published in his "Expugnatio Hybernica" which was written in 1189, in the reign of King John, that is thirty-four years after the supposed composition of the document, and we are justified in assuming that it flowed from his work into the pages of Ralph de Diceto, and other English court historians of the period. I am far from supposing that there was intentional dishonesty on the part of any of these writers. It is not likely that they had the opportunity, even supposing they had the inclination, to investigate the authenticity of the document. They might naturally expect the inquiry to originate in Ireland itself, and part of Henry's dexterous management of his fraud, was to keep his forgery to himself in the first instance, and then cautiously to unveil it. While a diplomatist who was at once the most powerful monarch, and the most accomplished deceiver of his age, had many advantages on his side in this mode of procedure. Henry pushed on his armies into Ireland, at first by his agents, and then in person, with now and then, some vague and obscure hints that long ago a departed Pope had blessed his mission; and if this arch-conspirator deceived simple and honest men, there is nothing in this to be wondered at, although the heart sinks at contemplating the success which has attended his detestable sagacity.

Before we pursue the case against this royal forger, we must meet the only argument for the authenticity of the "Bull," which is really deserving of serious attention.

I allude to the passage, allusive to the subject, which is found in the *Metalogicus* of John of Salisbury. This writer was an honest man and a zealous ecclesiastic: we want no better proof of this than the passage already quoted from his life of St. Thomas of Canterbury, in which he bears testimony to the bad character of Henry II. At the very period when, as he tells us, such grave suspicions were entertained of the evil dispositions of the young English king, and his depraved councillors, John had an audience with Adrian IV. at

Beneventum, Rome being at the time in the hands of the adherents of Arnold of Brescia. In his writings two accounts are found of his relations with the Pope on that occasion, one in the *Polycraticus*, the other in the *Metalogicus*. The passage in the *Polycraticus* is too long to be quoted here. It gives minutely the Pope's own words, and the remarks of his visitor, and fits in admirably with the characters of both. Adrian listens with great patience and good humour to a long lecture from John of Salisbury on the reforms required in his court, at the termination of which, John tells us, with genuine humility and simplicity, that the Pope laughed at him.¹ In this account, no allusion is made either to the King of England, or to Ireland. On the other hand, the *Metalogicus* runs thus :

“Although he (the Pope) had a mother and brother living, his affection for me was more tender. He declared in public and private that he loved me more than any living being. He had conceived such an affection for me, that whenever he had the opportunity, he consoled himself by pouring forth the secrets of his conscience before me.” He then goes on to say that, “At my entreaties he conceded and granted Ireland to the great Henry II., King of England, to be held by hereditary succession, as his letters testify to the present day.”²

No question, as far as I know, has ever been raised as to the authenticity of the passage in the *Polycraticus*. It is found in the body of the work, and its language is such as might be expected from a friend of Pope Adrian, and of St. Thomas of Canterbury. On the other hand, that in the *Metalogicus* occurs at the end of the work in the place best suited for interpolation, and all authorities against the “Bull,” from Cambrensis Eversus, to Cardinal Moran, have set the passage down as a forgery. There have been ambitious and unscrupulous Catholic ecclesiastical statesmen who for the sake of a royal master have sacrificed the liberties of the Church ; but it is hard to attribute such a disposition to John of Salisbury, and still harder to imagine that Pope Adrian would have listened to such suggestions. In the *Polycraticus* we find that John outstrips the zeal of the great Pontiff himself for the honour of the Roman Church, and tells the Pope that “many complained that the Roman Church, the Mother of all

¹ Lib. vi., c. 23.

² Lib. iv., c. 42.

Churches, showed herself to others rather as a stepmother than a mother," while in the *Metalogicus* he is made to glory in the fact that he had induced the Pope to hand over the time-honoured Church of St. Patrick to an impure and unscrupulous tyrant. If we accept the "Bull," it means all this, as he must have been acquainted with its contents: if, on the other hand, we suppose that allusion was made to some other purely temporal grant of "hereditary" dominion, then the "Bull" and the *Metalogicus* part company, which is all that our argument requires. In the *Polyeraticus* we see John of Salisbury in his natural relations with the Pope, speaking with all the freedom of an old friend, and a pious, if not over-prudent adviser, while the language of the *Metalogicus* betrays the clumsy hand of the court-flatterer. We observe that the writer does not pretend that Henry himself asked for Ireland, but merely that the Pope sent a nation as a present to the King, as if it were a mere compliment to the messenger: "at my entreaties" (*ad preces meas*). Such an idea could only have occurred to some creature of a despot's court, who realized no principle of justice outside his master's mind. Again the expression "to be possessed by right of inheritance" (*iure hereditario possidendum*) is either a blundering comment on the "Bull," by some one who did not stop to consider the meaning of the text, or else it is a bold attempt to push on the business from spirituals to temporals; which was a favourite policy of Henry Plantagenet. We can conceive the hurried hand of the forger, pressed for space, introducing the word "hereditary," without any allusion to ancestors or heirs, but it is incredible that such a sentence could have been penned by a learned and cautious ecclesiastical lawyer like John of Salisbury. The reader will remember the letter of St. Thomas of Canterbury to Alexander III. in which he reminds the Pope that from the day of Henry's accession to the Throne he had assumed that dominion over the Church in England¹ "was his own, by hereditary right," and here we find him pressing on with the same fixed idea in the case of Ireland.

It is worth while to ask whether the king himself was the writer of this second forgery. As the omission of his own name in the "Bull" was a very natural slip in the case of one who was corresponding with himself:

¹ Epistola xix.

so in the passage in the *Metalogicus*, we find the impress of his style. This is manifest from a comparison of the language of the passage with that of Henry's declaration at Avranches in 1172, before the Cardinals Vivian and Gratian, when he sought to clear himself of the guilt of the murder of St. Thomas. The declaration runs thus—"I, King Henry, swear upon the sacred Gospels that I have neither premeditated, known, nor ordered the murder of the holy Thomas, and that when I learned that the crime had been perpetrated, it caused me more anguish, than if I heard of the murder of my own son," &c.¹ In both these documents we remark that exuberance of profession which is so often the snare of habitual and exhausted duplicity. It will perhaps be objected that all history may be upset if controversialists are allowed to evade the difficulties by the supposition of forgery. To this it may be answered that history, like all other testimony will stand or fall according to the character of the witness. An accusation of knavery in the case of Charlemagne, or St. Louis, would have as many valid opposing prepossessions, as are found in favour of a similar charge against Henry Plantagenet. Henry II. from boyhood until his awful and ominous departure from this world,² was an outlaw from the Commonwealth of honest men: no one can doubt that he was capable of forgery, and this even in sacred matters if it suited his convenience, which was certainly the case as regarded his designs on Ireland; and the matrix for forging the Papal seal, as appended to the Bulls of the Sovereign Pontiff, one of the relics of the Norman invaders of Ireland, which is preserved in the Royal Irish Academy,³ is a silent but stern witness to the fact that the fabrication of Papal documents was an art which was systematically practised in those days.

We must guard against weakening our case by appearing to attempt too much. It cannot be denied that the supposed letter of Adrian IV. did make some sort

¹ Baronius Annales, 1172.

² J. R. Green, Hist. of the English, vol. i., p. 181. His account differs from that of Dr. Lingard, who attributes the dying king's malignant dispositions to fever; but the statements of Mr. Green are more in accordance with the facts related by contemporary writers. (See Gervase, Chon. I., 449, and Roger de Hoveden II., 366.)

³ Cardinal Moran, IRISH ECCLESIASTICAL RECORD, Nov., 1872, p. 63.

of an appearance some seven years after the arrival of the Normans, and that the indifference with which it was treated by the Irish leaders, lay and ecclesiastical, is at first sight inexplicable, unless we bear in mind that the very crimes of Henry II., and all the attendant circumstances of his journey into Ireland, were all in favour of the quiet hatching of the imposture.

He came to Ireland red-handed from the murder of the head of the Church in England: it was well-known in Ireland that he was flying from the Legates of the Pope, who had arrived in France for the express purpose of putting him on his trial, and that he had sent cruisers around the coast to prevent all communication with the Supreme Ecclesiastical Tribunal: when, therefore, it was whispered here and there by members of his train that the King of England had come as an Apostolic Missioner to reform the Irish Church, the barefaced absurdity of the claim was enough to secure it against all serious discussion. That this is no unfounded supposition is proved by the fact that Cardinal Vivian, Legate *a latere* from Alexander III., who arrived in Ireland in 1177, six years after the landing of Henry, either knew nothing about the "Bull," or else treated it as a mere *ruse de guerre*. From William of Newbury, a contemporary English historian, we learn that Cardinal Vivian took the Irish side, and exhorted the national party to fight for their fatherland.

"John de Courcy," he writes, "having collected a powerful body of knights, and foot soldiers, determined to invade Ulster, that province of Ireland which is separated from Scotland by a narrow strait. It happened that Vivian, the Legate of the Holy See, a man remarkable for his eloquence, had just then arrived in these parts from Scotland. He had been honourably received by the King (of Ulster) and the Bishops of the province, and at the time was residing in the city of Down near the sea. When the news arrived of the approach of the enemy, the Irish consulted the Legate on the course to be pursued in this emergency; he answered that it was their duty to fight for their fatherland (*pugnandum pro patria*), and he blessed them, at the same time offering up public prayers for their success. Thus encouraged, they sallied forth impetuously; but being easily overpowered by the mailed archers, they turned and fled. The city of Down was captured, and the Roman Legate and his followers took

refuge in the Church which was very famous owing to the relics of the saints which were preserved therein."¹

Roger de Hoveden, who, at this time, had been for three years employed as one of the chaplains of Henry II., gives a graphic description of the king's fury when he heard of the arrival of the Legate in England, on his way to Ireland, and with a slight variation in the narrative, he confirms William of Newbury's statement, that the Cardinal Legate was regarded as an enemy by Henry and his party.²

We conclude, therefore, that up to the year 1177, that is twenty-two years after the date of the alleged Commission to Henry II., nothing was known about the document at Rome. It was still in process of incubation, and so, at the same time it escaped the notice of the contemporary annalists of the Irish Church. As we have already seen, the reigning Pontiff, Alexander III., when Cardinal Rolando, was Chancellor of the Roman Church under Adrian IV., and his signature is appended to all the Bulls of that Pontiff which are preserved in the Bullarium. No one imagines that Popes know everything, but it is inconceivable that Alexander could have been ignorant on this point, supposing so important a document to exist, or that he could have omitted to give his ambassador instructions in accordance with its contents. It is needless to add that the policy of Cardinal Vivian is a still more destructive argument against the confirmatory letter of Alexander III. himself in 1177, which is acknowledged to be dubious even by Giraldus.

Our argument comes down no farther than Pope Adrian. Subsequent letters of Roman Pontiffs on the subject of Ireland stand by themselves. Many of them demand quite as rigid a scrutiny as that which we have devoted to the singular document before us, but even if they are proved to be authentic, they must be judged by the circumstances and political exigencies of the ages which produced them; in such cases the acts of one Pontiff cannot be used as retrospective commentaries on those of his predecessors.

It is one of Ireland's many misfortunes that for seven centuries her historical literature has been a battle long drawn out. It is the fashion to attribute this to dissensions amongst her natural defenders, with little allowance for

¹ Gul. Newbrigensis. Gesta. Angl., Bk. III., c. 9.

² Chronica. Ed. Stubbs. An. 1176, 1177. Giraldus Cambrensis, with his usual ingenuity, places the invaders *inside* the walls of the city of Down, protected and supported by the Legate.

the fact that during this period two nations have divided the country between them. All the advantages were on the side of those whose preconceptions and national prejudices stood in the way of literary justice. When, therefore, in our own times the imprisoned Catholic intellect of Ireland was emancipated, the historical field was already occupied. In matters of faith an unerring instinct preserved her sons from error. Not so with history. They were obliged to make the best of what came to hand, or else do without it altogether. It is weary work to be for ever doubting, and impatience has betrayed many Irish Catholic writers into making admissions which have seriously injured their own cause. Take, for instance, Dr. Lanigan's account of the question now under consideration. The fourth volume of his "*Ecclesiastical History of Ireland*" is almost entirely devoted to the events of the twelfth century. The great learning and acuteness of this writer certainly entitle him to the prominent position among Irish Church historians which has been allotted to him by Cardinal Moran,¹ although his writings are often deficient in that comprehensive and judicial spirit which distinguishes the Cardinal himself. For many years after the publication of his work in 1829, Dr. Lanigan was probably the dominant authority amongst modern Irish ecclesiastical writers, and, as some of the ground which he has occupied has, as yet been little investigated, it would appear that on these points he is still allowed to reign supreme. This was the case as regards the "*Bull of Adrian IV.*," until, in 1872, Cardinal Moran's Dissertation appeared. Amongst others, Cardinal Newman has adopted the conclusions of Dr. Lanigan on this subject in his essay, "*Northmen and Normans in England and Ireland*," which was published in 1856. Dr. Lanigan's account of the state of Ireland previous to the irruption of Normans is fair and dispassionate, and if he had made a selection of his authorities, expanding valuable evidence, and ignoring many contemptible opponents, his history of this period would leave little to be desired. He disposes of the allegations against the Irish Church drawn from the writings of St. Anselm: he follows out the history of the Danish settlements, and of the evil customs introduced into Ireland by these foreigners, and illustrates very clearly the pre-eminence of the Roman Legates in Ireland in the

¹ *Essays on Irish Church*, p. 46.

twelfth century, and the singular veneration in which they were held.¹ When, however, he reaches the period of Pope Adrian, it is clear that he is blinded by that indignation which sometimes disturbs the wisest mind. Thus he writes:—"Although Adrian IV. had such a regard for his old master Marianus, he was then concerned in hatching a plot against that good man's country—in laying the foundation of the destruction of that country It is strange that the Pope could have listened to such stuff, &c. . . . But the love of his country (England), his wish to gratify Henry, and some other not very becoming reasons, prevailed over every other consideration."

Dr. Lanigan is so angry with the Pope that he dismisses with contempt every argument in his favour, and in answer to Cambrensis Eversus, and MacGeoghegan, he rashly affirms of the "Bull," that "never did there exist a more real and authentic document." He argues that there must have been a copy in the Vatican library, because Pope John XXII. alludes to it a hundred and sixty-four years after its alleged appearance;² whereas the Pope's letter merely accepts the statement as it stands in the letter addressed to him by the Irish leaders, amongst whom some believed and some doubted. The Pope's letter, like so many of the documents bearing on this subject, is stained with the suspicion of fraud. As it stands in Wilkins's collection of English Councils, the Pope is made to say that Adrian "granted" (*concessit*) to Henry; in the continuator of Baronius, the words are "is said to have granted" (*concessisse dicitur*).³

In like manner, Dr. Lanigan accepts without question, that which he styles, the "genuine and correct text of Giraldus," as evidence of the letter of Alexander III.⁴ to Henry II. Now this is one of the very few points on which Giraldus Cambrensis himself manifests anything approaching to intellectual diffidence. "By some," he says, "it is asserted, or pretended that this (Brief) was obtained, while others deny that it was ever asked for." (*De Instit. Princip.* p. 52). Dr. Lanigan also adopts the inventions of Giraldus, as regards the policy of the Papal Legate, Cardinal Vivian.

The learned and dispassionate English editor of Giraldus

¹ Eccl. Hist. vol. iv. pp. 32, 34, 43, 55, &c.

² Ib., pp. 159, 165.

³ *Analecta juris Pont.* May, 1882. *Mag. Brit. Concilia*, An. 1319. *Reynaldus An.* 1317.

⁴ Eccl. Hist. iv. 223.

Cambrensis may well wonder at the amount of credence which Irish writers have given to the Cambrian romancer.¹ As regards the letter of Alexander III., Dr. Lanigan is even more credulous than Giraldus. He seems to have had a fixed idea that every one's hand must have been against Ireland. This prejudice has coloured and seriously marred his otherwise valuable testimony, and has led him unintentionally to play into the hands of the calumniators of ancient Catholic Ireland. We have seen that St. Laurence and her own Annalists, treated the incursion of the Normans as one of the ordinary occurrences of a lawless age. The Irish of that day were the best judges as to the origin of their misfortunes; and as they in the twelfth century, did not accuse Pope Adrian, or get out of temper with the Holy See, it is quite clear that there is no reason now that we should start this grievance after the lapse of seven centuries.

We now part company with the "Bull of Adrian," and it is to be hoped that the reader has had some share in the pleasure which the investigation has imparted to the writer. It is a subject eminently calculated to clear up the historical horizon in many directions. It teaches that while prescription is often the only safe law in politics, it has no place in the more exalted world of letters, in whose courts the right of appeal is unlimited. It reminds us that in historical trials the characters of both plaintiff and defendant are essential elements, and that the good name and consistency of witnesses is of more importance than numbers. If the documentary evidence for the "Bull" were as strong as it is suspicious, it would still be weak when set against the amazing incongruity of the supposition, that the only interference in the government of the Church in Ireland, on the part of one of the most vigilant, active and far-seeing of the Roman Pontiffs, was to hand her over, with his own Legate, her Primate, Archbishops, Bishops, and Religious Orders, to the spiritual direction and supervision of a royal commissioner, in the shape of Henry Plantagenet.

W. B. MORRIS.

¹ The Rev. James F. Dimock. Op. Giraldi, Pref. lxxii.

SACRAMENTAL CHARACTER.

WHEN we find the Fathers of the Church and theologians generally expending so much anxious thought upon the nature of sacramental character, and extolling so rapturously the divine beneficence involved in that gift, it cannot be wholly uninteresting or unprofitable to review, even briefly, some of the results of their inquiries. Another and very powerful motive is supplied by the fact that the Reformers assailed the existence of sacramental character with even more than ordinary acrimony, relying upon arguments in which "malice bears down truth" so clumsily that their authors parade those arguments shrouded in humiliating apologies for their weakness. This is especially true of Martin Chemnitz (the Kemnitius of Bellarmine), the pupil of Melancthon, by whom, as by subsequent writers, he is designated "the Prince of Protestant Theologians," and whose "Examen Concilii Tridentini" they boastfully refer to as "a work full of historical information, and which as a solid refutation of the Roman Catholic doctrines has not been surpassed by any subsequent publication." (English Encyc.) Those who desire it may find these arguments—both *solida* and *non-solida*, as their framers classify them—in the works of Cardinal Bellarmine, De Lugo, Billuart, &c., in which they will also find a profuse expenditure of learning seemingly wasted in refuting them.

The Reformers' tilting and shivering of spears against the impregnable fortress of Catholic truth had, however, one most valuable effect: it stimulated the historians and theologians of the Church to disentomb and exhibit *in alto rilieuo* the sayings and teachings of the early Fathers, whose alleged "unbroken silence" regarding Sacramental Character constituted the "argumentum palmarium et vere solidum" of Chemnitz.

Before entering into the dogmatic definitions of the Church and some of the many speculations of scholastic theology, it will be well to reproduce a few sentences from the writings of those early Fathers, if for no other purpose than to show the continuity of Catholic truth, and the profound veneration with which those Fathers spoke of Sacramental Character. Thus we find St. Denis the Arcopagite, in the very infancy of the Church, describing the effects of Baptism in words which no centuries of development could

render more plain: "Hunc (Baptizatum) divina Majestas in sui consortium intus admittit, eique lucem suam, perinde ac *signum aliquod*, tradit." And further on he adds: "perficiens ipsum divinum et communicatorem divinorum *per characterem*." Later on, St. Cyril of Jerusalem, in the Preface of his Catechism, pronounces the following eulogy on Baptism: "Magnum sane est propositum hoc Baptizma, captivitatis liberatio, peccatorum remissio, mors peccati, animae regeneratio, vestimentum candidum, *signaculum sanctum et indelebile*. Spiritus S. tempore Baptizmatism animam obsignat." In another place the same Saint picturesquely portrays the solemnities by which God and His angels sanctify the impressing of Sacramental Character: "Multis Angelicorum exercituum myriadibus praesentibus, Spiritus S. *animas vestras obsignaturus est*." St. Basil in one of his most fervid exhortations to Baptism, says: "Deus sub se militantibus dat tesseras . . . Quomodo vindicabit te Angelus sibi, quomodo eripiet ex hostibus, si non agnoverit *signaculum*? Thesaurus non insignitus facile diripitur a furibus, ovis non signata citra periculum insidiis appetitur. Quomodo dicturus es, Dei sum, si notas ac insignia non exhibeas?"

Many similar *effata* of the Fathers, equally specific and emphatic, might be adduced in proof of the universal teaching of the Church; but for present purposes it will be sufficient to refer to the words in which St. Augustine certifies that the doctrine regarding Sacramental Character was re-asserted in the Plenary Council by which the controversy between St. Stephen and St. Cyprian was settled: "Satis eluxit Pastoribus Ecclesiae Catholicae toto orbe diffusae, per quos postea Plenarii Concilii auctoritate originalis consuetudo firmata est, etiam ovem quae foris errabat, et *Dominicum Characterem* a fallacibus depredatoribus suis foris acceperat, venientem ad Christianae unitatis salutem ab errore corrigi, a captivitate liberari, a vulnere sanari, *Characterem tamen Dominicum* in ea agnosci potius, quam improbari."

What is strictly of Catholic Faith is defined by the Council of Trent: "Si quis dixerit in tribus sacramentis, Baptismo scilicet, Confirmatione et Ordine non imprimi characterem, hoc est, signum quoddam spiritale et indelebile, unde ea iterari non possunt, anathema sit." Regarding the other sacraments, the Council of Florence adds: "Reliqua vero characterem non imprimunt et reiterationem admittunt."

Availing themselves of the recognised principle that an argument incidentally insinuated in a definition of Faith may, *inoffenso pede*, be discussed, theologians ask how does the imprinting of Sacramental Character debar the iteration of those Sacraments? Most of them assert that the converse proposition is not true—namely, that they impress a character *because* they cannot be repeated; and in support of their thesis, they refer to the conferring of Tonsure, the consecration of a chalice, &c., which cannot be repeated, and yet impress no character. Again, even though these Sacraments *de facto* imprint a character, might not the second collation of any of them confer a new character of a somewhat different kind? For all theologians hold that there are “characteres heterogenei,” as is manifest in the Sacrament of Orders, in which the character received in Deaconship is different from that received in Priesthood—“ad diversas functiones,” as De Lugo puts it. For these and like reasons many assert that the “unde” of the Council is not rigorously conclusive, and seek to establish the “initerability” of the characteristic Sacraments on other grounds. The “ratio potissima” usually given is derived immediately from the *indelibility* of character, for it is manifest that if the Seal can never be obliterated, a second imprinting of it would be the absolute and indefensible abuse of a sacred thing. The all-sufficient *ratio a priori* is the “voluntas Christi ita statuentis.”

One of the effects of Sacramental Character is frequently illustrated by the following cases: (1) If a priest should die and be miraculously called back to life, he carries his priesthood back with him and has no need of again receiving Holy Orders. (2) But should a married man die and be raised to life by a miracle, he and his (former) wife are “single” Or, making another case in which neither death nor a miracle interposes—should either conjux, matrimonio tantum rato, have the matrimony dissolved by a Religious Profession, and afterwards return to secular life released from his vows by the Sovereign Pontiff, a new marriage may be contracted with his former conjux, or—should he prefer it—with any more fortunate rival. This mors civilis, like mors naturalis, has liberated both.

The “voluntas Christi ita statuentis,” or, if you will, the indelibility of the character received at Ordination, secures the uninterrupted possession of Holy Orders even after the death of the priest; but theologians in general agree that it is not *de fide Catholica* that Sacramental Character is

carried into the next life. The "*communis sententia*" affirms that it subsists after death, "*quae sententia, licet non sit a Conciliis definita, est tamen verior*," says De Lugo. It would occupy too much space to give in detail the arguments by which theologians prove, beyond controversy, that it remains in the soul for ever; but its indelibility even in the future life is *a priori* evident from (1) the incorruptibility of the soul, the subject on which it is imprinted; and (2) from the fact "*quod non datur contrarium aliquod quo deleatur*," as Sanctifying Grace is expelled by mortal sin, and the habits of Faith and Hope are absorbed in the Beatific Vision. Theologians, therefore, hold with St. Thomas: "*Post hanc vitam remanet character et in bonis ad eorum gloriam et in malis ad eorum ignominiam*." "*Character*," says Bellarmine, "*est quaedam consecratio animae: consecratio autem tam diu manet, quam diu durat res consecrata*."

From this consideration alone it is manifest that the conferring of Sacramental Character is very much more than the issuing of a Diploma or of Letters-Patent by which certain powers and prerogatives are secured to the recipient; nor can character in any sense be regarded as merely an "*extrinsic denomination*," as Durandus maintained. To use his own illustration: before Baptism no one could call you a "*homo baptizatus*"—a *name* to which the reception of that Sacrament gives you an indefeasible right. Suarez asserts that the opinion of Durandus "*non posse jam ab errore in fide vindicari, propter definitionem Concilii Tridentini*;" but we must remember that Durandus died in the first quarter of the 14th century. Scotus seems to have held that character consists in the fact that by Baptism, Confirmation, and Holy Orders man acquires certain relations with God which he did not before possess. But the Doctor Subtilis pre-deceased Durandus a S. Porciano; and, since the Councils of Florence and Trent, these or kindred opinions can receive no countenance. The "*denominatio externa*" could not, without a gross abuse of language, be described as a "*signum animae impressum*"—it is rather impressed on the minds and memory of others; while the "*relatio nova*" may spring from something operated in the soul, but does not itself abide there.

Seeing the Sacramental character is a "*signum animae inhaerens*," theologians inquire whether or not it is *separable* from the soul; whether we can suppose God

reserving in the Divine Treasury *Characteres Sacramentales* for future distribution—or should we hold with Soto that character is no more than an “*entitas modalis*” which cannot exist *in proprio esse*, but pre-supposes, *ut existat*, a subject to which it clings for support? Suarez, De Lugo, and writers generally maintain that character is possessed of independent vitality, principally for the indirect reason that “*non debemus ponere accidentia modalia, nisi ubi aliqua peculiaris ratio probet inseparabilitatem mutuam, seu non posse formam illam esse etiam divinitus absque tali subjecto.*” De Lugo reminds us that essential inseparability would argue a want of power on the part of God to effect the separation of two things; which want of power we should never admit, except when that separation would involve a contradiction in terms. In the absence of any such possible contradiction here, we should not set limits to the power of God “*qui possit de creaturis omnibus et singulis disponere simul vel seorsim, prout voluerit. Ideo,*” continues De Lugo, “*gratiam, habitus supernaturales, &c, dicimus non esse modos sed entitates reales, quia non est specialis ratio ad id magis negandum de iis quam de aliis accidentibus, quae tamen scimus separari posse, sicut separantur de facto accidentia panis et vini in Eucharistia. Actionem vero, unionem et similia dicimus esse modos, quia si unio, v. gr., non esset modus, indigeret alia unione qua uniretur et haec indigeret alia, et sic in infinitum . . . Character ergo est accidens absolutum et reale*”—and therefore separable from its subject, the soul.

Assuming now that Sacramental character is an *entitas realis* which may be attached to any suitable subject, the question arises: on what faculty of the soul does God imprint it? This problem opens up the vision of an amicable theological tournament, in which we find the most brilliant champions of the Thomistic school contending, *incerto Marte*, with the equally stalworth and doughty followers of Scotus; while Suarez and his friends—in emphatic dissent from both—maintain that the *raison d’être* of the controversy rests upon nothing better than a falsely assumed condition of facts. On one side it is contended that, inasmuch as the function of Sacramental character is to guide men in the performance of good works, it operates through the *will*, and should naturally be impressed upon that faculty. Their opponents, recognising in character a supernatural light by which the intellect is enabled to penetrate supernatural truth, logically locate it in the

intellect. But Suarez, who denies that the substance of the soul is really—*realiter*—distinct from its faculties (the *will* being the “*anima prosequens bonum et aversans malum*,” and the *intellect* the *anima verum et falsum distinguens*”), holds of necessity that Sacramental character is imprinted immediately on the essence of the soul. This is a combat of giants into which it would be temerarious to intrude; but we may say, with all becoming timidity, that the words of Florence and Trent—“*animae impressum*”—seem, at the first blush, and in their more obvious sense, to indicate that the minds of the Fathers of these Councils were with the view which Suarez advocates.

The discussion of these conflicting theories naturally suggests a further inquiry—as to what precisely and specifically is represented by Sacramental character; for every *signum* should adequately set forth the object which it symbolizes. The Thomists tell us that it is an emblem of power, indicating that he who carries it has received an authoritative commission, “*ad suscipiendum vel tradendum aliis quae sunt divini cultus*.” The Scotists hold that it exhibits the idea of those “*Auxilia Divina quae homini debentur ratione sacramenti recepti, ad tales vel tales actiones bene exercendas*.” Others maintain that it is a Badge or “*Order*,” suitable to the Sacrament which confers it, and signifying “*Servitus*,” or “*Militia*,” or “*Ministerium*.” Others again contend that it is a Form or Figure of Christ, the High Priest of the Law of Grace, in whose likeness we are specially moulded by those Sacraments which impress a character. In the theory of Suarez, Vasquez, and the Jesuits generally (as referred to above), all these apparently clashing views may be easily harmonized; and, even in the views of the older scholastics, we may, according to Collet and many others, attribute to Sacramental character the simultaneous discharge of all these diverse functions. The whole controversy seems to supply a felicitous illustration of the general truth of which Cardinal Newman writes so beautifully:—

“The idea which represents an object or supposed object is commensurate with the sum total of its possible aspects, however they may vary in the separate consciousness of individuals; and in proportion to the variety of aspects under which it presents itself to various minds is its force and depth, and the argument for its reality. Ordinarily an idea is not brought home to the intellect as objective except through this variety; like bodily substances which are not apprehended except under the clothing

of their properties and results, and which admit of being walked round and surveyed on opposite sides, and in different perspectives, and in contrary lights. And as views of a material object may be taken from points so remote, or so opposed, that they seem at first sight incompatible, and especially as their shadows will be disproportionate, or even monstrous, and yet all these anomalies will disappear, and all these contrarieties be adjusted, on ascertaining the point of vision or the surface of projection in each case; so also all the aspects of an idea are capable of coalition, and of a resolution into the object to which it belongs; and the *prima facie* dissimilitude of its aspect becomes, when explained, an argument for its substantiveness and integrity, and their multiplicity for its originality and power."

We cannot, therefore, be far wrong if, with De Lugo, &c., we endeavour to fix the true expressiveness of Sacramental Character by grouping together the ideas and notions which the Fathers and approved Theologians of the Church are found to have attributed to it—prudently concluding that all these ideas are legitimately derived from the essence itself of Character, and that the multiplicity of aspects which it reveals can have no other logical effect than to enhance enormously our estimate of its intrinsic value. Reasoning by this method we infer that Character is the "*Sigillum segregans ab aliis qui illud non habent.*" That it represents "*etiam alia Sacramenta ad quae recipienda vel conferenda dat jus.*" That it is a "*Potentia in ordine ad resistendum, quia exigit quod tentationes internae et externae vel impediantur, vel certe debiliores fiant.*" That while, by a merciful provision of God, the angels have received a general guardianship over men, they, "*viso Characterere, specialem curam habent illuminandi, protegendi, et gubernandi quos vident habere Signum Dei in frontibus suis.*" That, while God bestows upon all, and in copious supply, those graces of light and strength by which salvation is made practicable, the appealing presence of Character moves Him, "*ad conferenda auxilia et gratias in ordine ad actiones illas ad quas per tale sacramentum destinatur homo.*" That it is justly called "the armour and equipment of the soul." That, while by Sanctifying Grace our souls become "participators of the Divine Nature," by Sacramental Character the divine lineaments of the Invisible God are indelibly traced upon them.

C. J. M.

AMONG THE GRAVES—(CONTINUED).

III.—GLANKEEN.

GLANKEEN, “the beautiful gien,” lies about a mile to the north of Borrisoleigh, in the county of Tipperary. In ancient times it was the dwelling place of St. Culan, a descendant of Oliul Olum, and one of the six sons of Eugenius, who, as one of our annalists tells us, “exhibited such shining virtues by their exemplary lives and miracles both before and after their death, that posterity has canonized them all, as a just recompense for their pious lives.” Another of these saintly brothers was St. Evin, who has given his name to Monasterevan.

The townland in which the old church stands is called Glebe. When the church established bylaw was in its pride of place, Glankeen was one of its most coveted prizes. The living was a very rich one, and the work very small. Hence it was reserved as a kind of happy hunting-ground for the special use and benefit of the few Protestant families whose political influence always secured for their junior branches, generation after generation, bishoprics and other dignities. And here the youthful aspirants to the apostleship grew in wisdom and in grace, until a *congé d’élire* or some such heaven-sent message called them from their pious retirement and bade them go forth and teach. The incumbent, who about a century ago built the glebe-house, still standing, had inscribed on the window-sills of the second story:—

H. M. GRAVES NIDIFICAVIT, 1785.

“*Sic vos non vobis nidificatis, aves.*” The glebe-house and its belongings have passed into other hands, and are now in the possession of an honest Catholic farmer. Glankeen is still as in olden times one of the canonries of the archdiocese of Cashel. Its present incumbent is the Very Reverend Canon Morris, PP. of Borrisoleigh. “*Ad plurimos annos*” is the earnest wish and prayer of the Very Reverend Canon’s numerous friends.

A considerable part of the old church is still standing, the whole of the nave and the eastern wall of the choir. But how much or how little of the present building goes back to St. Culan’s time, it is not an easy matter to determine; and all the more, because the time when this Saint lived is very uncertain. Some make him a contemporary of St. Patrick; others say he was a brother of the famous

Cormac Mac Cullenan, who was slain in the battle of Moyalbe, in 907. There is no doubt but that considerable changes have been made in the building. In the first place, it is much larger than the generality of the early Irish churches, the nave and choir together being over eighty-four feet in length. Besides, the windows are surely the work of a later date; but then these may be mere insertions, consequent on the more common use of glass. Such changes, and others still more important, as the addition of a pointed chancel arch or of a doorway of the same character, are by no means unusual. We find them in some of the churches in the islands of Arran, the walls of which are certainly work of the sixth and seventh centuries.

Outside the church, close by the south wall, there is a broad altar tomb. Immediately over it, inserted in the wall, is a large slab. Both bear inscriptions in raised Roman capitals. That on the first runs round the edge of the stone for the four first lines; the rest of it is continued in lines set one under the other as here. Points are put after each word in this, as is usual in monumental inscriptions of an early date. As the person for whom the tomb was intended had it made before his death, neither his age at the time of his death nor the precise date of it was set down by the original artist. An attempt seems to have been made afterwards to fill the date in one of the spaces that were left vacant, but so rudely that it is nearly illegible. In the second, the lines are set as below without points. On the slab in the wall are the arms of De Burgo: a cross, in the dexter canton the badge of Ulster; empling those of O'Dwyer, a fesse, in chief three chevrons, in base an eagle displayed; the whole surmounted by a knight's helmet; and at the foot the motto in black letter:—

Spes mea in Deo est.

MY HOPE IS IN GOD.

HOC. SIBI. MONUMENTUM.

FIERI. FECIT. IN. EOQUE. SEPULTUS. EST. WALTERUS. DE BURGO.

TERRITORIUM. DE. ILLEAGH.

QUONDAM. VALIDUS. AC. PRUDENS. PROPUGNATOR. QUI. OBIIIT. JUNII. 10.

AETATIS. . . ANNOQUE. DOMINI. . . . UXOREM.

HABUIT. SILIAM. FILIAM. YDHIR.

EX. QUA. MULTAM. SUSCEPIT.

PROLEM. 4 SCILICET. FILIOS.

THEOBALDUM. GULIE

LMUM. MILERUM. ET. JOHANEM.

ET. MULTAS. FILIAS. OMNESQUE.

LECTISSIMIS. CONJUGIBUS. COLLOCATAS.

Walter De Burgo, once the brave and wise defender of the territory of Ileigh, caused this tomb to be made for himself, and is buried in it. He died June 10, in the . . . year of his age, and in the year of the Lord He had as wife Sheela, daughter of O'Dwyer, by whom he begat a numerous progeny, to wit 4 sons, Theobald, William, Miler, and John; and many daughters, all married to most worthy husbands.

The inscription on the stone set in the wall runs thus:—

QUISQUIS IN HAEC OCULOS VERTIS MONUMENTA PARUMPER
SISTE, LEGE, DISCE ET VIVERE, DISCE MORI.
NATUS ERAM COELO, MUNDUM PER CUNCTA SECUTUS,
HINC PULSUS, ILLINC JURE ABIGENDUS ERAM.
TU MUNDI ILLECEBRAS SAPIENS VITARE MEMENTO,
COELICA REGNA TIBI QUÆRE PRECARE MIHI.
PATRICIUS KERIN ME FABRICAVIT.
1626.

Whosoever (thou art who) turnest thine eyes towards these monuments, stay for a short time, read, and learn to live, learn to die. I was born for heaven. I followed (the ways of) the world ever. I was driven from this; from that I should have been repelled by right. Do thou wisely remember to avoid the allurements of the world. Seek for thyself the kingdom of heaven. Pray for me.

Patrick Kerin made me.

1626.

The district round Glankeen is known by the name of Ileigh, an anglicized form of the Irish name *Ui Luighdheach*, and resembling it somewhat in sound. Formerly it was a separate barony, as may be seen in the Down survey. The word *Burris*, *i.e.*, burgage or borough, introduced by the Anglo-Norman settlers, was prefixed to the name of the district, and the compound term *Borrisoleigh* was applied to the principal town. O'Huidhrin tells us it belonged in ancient times to the O'Spelans, now Spillanes and Spellans:—

“The Lord of *Ui Luighdheach* of ancient swords
Is O'Spelan of white spears.
Majestic is the battle-march of the hero,
Increasing under the land of Macha.”

The first of the De Burgo family who came to Ireland was William FitzAdelm. Cox says “he founded one of

the noblest families in Ireland, which has yielded many brave and worthy men that have proved eminently serviceable to their king and country, whereby their name, estate, and family are preserved in great honour and reputation to this day." When the Anglo-Normans invaded Ireland, he was sent with Hugh De Lacy to receive the submission of the kings of Connaught and Meath. At the return of Henry II. to England, he was appointed chief governor of this country. In 1200 he founded the Abbey of Athassel in the county of Tipperary, and was buried there the following year. His son Richard received by charter, dated December 12th., 1226, a grant of the whole land of Connaught forfeited by O'Connor, at a yearly rent of 500 marks. Walter, his grandson, by marrying Maude, daughter and heiress of Hugh De Lacy the younger, Earl of Ulster, succeeded to that earldom in her right. Walter's eldest son was Richard, surnamed the Red Earl. After rendering most important services to the English Crown, both at home and abroad, he retired to the Abbey of Athassel, took the monk's habit, and died and was buried there.

De Burgo, the author of *Hibernia Dominicana*, who never lets an opportunity pass of sounding the praises of his family, speaking of the foundation of the Dominican convent of Lorrha by Walter De Burgo, asks why he should have founded a convent for Friars Preachers in Munster rather than in Ulster of which he was Earl, or in Connaught of which he held the lordship? He replies that "he was indeed Earl of Ulster by right of his wife, and Lord of Connaught by direct inheritance from his father, but that he had received from his grandfather extensive estates in Tipperary; and so extensive, that the territory of Clanwilliam, which took its name from him, was itself divided into two baronies, East and West; moreover, that to this day it is inhabited by a vast number of the family and name." Indeed, the clan is so numerous and widely spread even now throughout Tipperary and Limerick, that it is no easy matter to trace the descent of the different families. The Ileigh branch may have risen to eminence by the bravery of Walter. That he was a man of war is evident from the title of Impugnator given him. The castle, of which a remnant is still standing at the east end of the town, was one of the strong places most subject to the attacks of the Irish enemy. And nowhere could be found a fiercer enemy of English rule than the O'Dwyers (O Duibhidir), of Kilnamanagh. One of their castles, a huge erection

named Cullohill, is still standing on a hill overhanging the Nenagh road, some three miles from Borrisoleigh. Tales of strange deeds of ferocity are told of one of the former lady-inhabitants of it. Few of the strong places of Ireland offered such a stern resistance to Cromwell's forces as Dundrum, the owner of which, Philip O'Dwyer, was one of the Confederate Catholics who met at Kilkenny in 1646. Edmund O'Dwyer, Bishop of Limerick, sat in the same assembly as a spiritual peer. On account of his exertions during the siege of that city, he was exempted from the terms of the capitulation by Ireton. Almost the very last who laid down their arms at the end of the Cromwellian war, was Colonel Philip O'Dwyer and his brave Tipperary forces. The daring deeds of Shane O'Dwyer an Ghleanna are still related with loving admiration by the Munster peasantry. In other countries too, on many a hard fought field "from Dunkirk to Belgrade," they displayed their valour. An O'Dwyer was Major-General in the service of the Emperor Charles VII., and had confided to his safe-keeping the frontier fortress of Belgrade, a post of very special trust during the wars with the Turks. Another of the name became an Admiral in the Russian service in the reign of Catherine II. In the manuscript history of Holy Cross Abbey, entitled "*Triumphalia Sanctae Crucis*," written by Father Hartry in 1640, there is an account of a miracle that took place in reference to the relic of the Holy Cross which had been taken from the monastery "to allow Dermot O'Dwyer of Kilnemanagh and Richard Bourke of Borris to make an eternal league of friendship and to confirm it by oath on the Holy Cross, for they had long harassed each other by continual wars." These feuds, the author tells us, were long before his time. Let us hope they were wholly ended, and the friendship still more closely cemented by the marriage of Walter De Burgo and Sheela O'Dwyer, blest as it was with such a numerous and prosperous progeny.

We must not omit to make mention here of another stone commemorating this branch of the De Burgo family. It is not indeed found "among the graves," but it records one virtue at least that "blossoms in the dust," while the taint to the enemy is worthy of a descendant of the brave defender of Ileigh. It was formerly set in the wall of the old castle of Borrisoleigh. It has been taken from there, and is now inserted in the wall of "Ivy House" close by. A few of the letters at the edge have been broken off, some

in part, others wholly. We give it, supplying the broken letters and joining the lines so that out of every four only one is formed :

RICHARD BOURKE, ALICE HURLEY.

MARMORE(UM) CUR SURGAT OP(US) FACIT HOSPES (ET) HOSTIS.
HOSPES IN AMPLEXUS. SED PROCL HOSTIS EAT.

164(5).

Richard Bourke, Alice Hurley.

Friend and foe make this marble spring up.

The friend is welcome. Let the enemy begone.

164(5).

Want of space will not allow us to give further details of the O'Hurley family. We shall reserve them for a future occasion.

D. MURPHY.

FAITH AND EVOLUTION.—A REPLY.

“Las palabras del Génesis donde Dios cuenta la creacion de nuestros primeros padres, solo paracen indicar que Dios hizo entrar en la interna composicion del hombre un elemento terreno y otro espiritual *sin metersi² á explicarnos por qué grados quiso el señor que pasase el primero de dichos elementos ántes que pudiese recibir convenientemente la union del segundo.*”—MENDIVE, 429.

“Bien des hommes religieux se figurent défendre la

“révélation, alors qu'ils ne défendent que leur interprétation propre.”—J. D'ESTIENNE.

HAVING formed a very high estimate of Fr. Jeremiah Murphy's ability, and being unwilling now to lower it, I can only conclude that the paper in the August number of the RECORD is altogether unworthy of its gifted author. His illustrations are misleading, and his logic sometimes strangely at fault, while rhetorical flourishes and fervid apostrophes are too often called upon to do duty for the more prosaic, but less easy process of reasoning. Sometimes, though I am quite sure only through inadvertence, he entirely misrepresents me, and more than once he has failed to apprehend my meaning. This, of course, may be largely due to my own want of lucidity and inelegance of style, but—be that as it may—it certainly has the effect of sapping his essay of very much of its strength.

I would have hesitated to write again on this subject, had I not good reason to know that it is one which is much agitating the minds of earnest and God-fearing men, and which should in consequence be thoroughly well sifted. To force upon such as these Fr. Murphy's view of Adam's corporal creation, would be to put their faith and obedience to a cruel test—a test indeed so arduous, so aggravating and so difficult, that nothing would justify such a proceeding but the most absolute and uncontrovertible certainty of its truth. Now, I venture still, with all due respect, to contend that my Reverend antagonist has not by any means settled the point, and that if we allow his view to be even probable—which, owing to the probability of the opposite view, still leaves us free—it is the very utmost limit to which even courtesy itself can push us. Indeed I arose from the careful perusal of his paper more convinced than ever that a Catholic may still, provisionally, believe the mediate formation of Adam's body without becoming a heretic or exposing himself to infernal fires. And I felt the more convinced because, seeing the ability and erudition of my Reverend correspondent, I could not but feel persuaded that had his been a good and worthy cause it would never have fared so ill in his hands.

Fr. Murphy speaks earnestly and warmly, and his earnestness in defending the Faith, even though in his eagerness he may sometimes sadly overrun the scent, elicits my sincerest admiration. I hope indeed that I should be as ready as he is even to die for the Faith, as well as to argue for it, were it necessary, but alas! how many have thought they were dying for the Faith when they were dying only for an idea. That I consider to be a deplorable error of judgment.

I think indeed most of my readers will allow, if they will bear with me for a while, that Fr. Murphy's arguments and proofs are hardly such as to compel us to evacuate the position we have taken up, and that nothing he has said up to this can render a change of view at all imperative.

But let us examine. He begins by an attempt to prove that I am wrong in my opinion that the *manner* in which Adam's body was formed is of little importance, if only we acknowledge that (1) God formed it, and (2) formed it from slime. His arguments, however, are not convincing. At the very first start off, he falls into a most curious mistake through not observing a distinction. He says, evidently

persuaded that he is speaking to the point:—"If this doctrine is of quite minor importance, how comes it that at present it has within a few weeks attracted so much attention?"

Here it will be seen at a glance, he mixes up two utterly different questions.

Question *one*, is—Was Adam's body made by God mediately or immediately?

Question number *two*, is—Is the immediate formation of Adam's body a matter of faith?

These two questions are as distinct as the poles. It is the first question I spoke of as of minor importance, but the second I thought of sufficient moment to make the subject of a long article. It is the second question which has "within a few weeks attracted so much attention." But what that has to do with the importance of the first I am unable even to conjecture.

Let us pass to the next argument.

"If it be of quite minor importance," he asks, "how comes it that most of our dogmatic and scholastic theologians discuss it at such length." Here he may include one or both of the above questions, so I shall merely remind him that the greatest theologians discuss many questions which Fr. Murphy, even under the pressure of supporting his position, will hardly consider as anything more than of minor importance. I might quote copiously from almost any one of the ancient theologians, but he saves me the trouble by observing himself how "the Fathers and Theologians . . . discuss the place where the first man's body was formed, *the nature of the slime*, and how it was procured and whence." Now who will say that these are matters of anything more than minor importance? Take the point I have underlined as an example. And who will say, that it really signifies, for instance, whether the clay used was ferruginous brick clay, or common lignitic clay; or consider it necessary to enter into disquisitions as to whether it contained potash and soda, or aluminous sulphates in greater abundance? *Quis est hic, et laudabimus eum?* Fr. Murphy adds, "If the doctrine be revealed, then its revelation is a sufficient warrant of its importance." (483.) Granted cheerfully: for to doubt a single word of the Holy Spirit is to doubt all, but the whole question hinges on this very point. Such a remark is therefore wholly beside the question. Once begin to deal in "if's" and where shall we end? As well get astride the winds of

heaven! He continues, "My contention is that the true, full, and accurate meaning . . . includes the immediate formation of the first man's body." Quite so, and we in no way challenge his right to his own opinion, we merely, modestly claim the exercise of a similar right ourselves. *Gratis asserit, gratis negamus.*

Fr. Murphy is positive that the words "God made man from the slime of the earth" mean more than the sentence explicitly expresses;—mean in fact "made man immediately."

We are not so hasty, nor, let me add, so confident. The experience of past years counsels the utmost caution, for the advance of science has caused so many to alter their opinions and to re-read the Holy Book that we dare not close our eyes to the fact that the text lies open to another interpretation.

The *prima facie* interpretation is not always the true one. We read in St. Matt. "Joram genuit Aziam." Now a casual reader might declare with unhesitating confidence that "the true, full, and accurate meaning" of those words is that which lies on the surface, and that anyone bold enough to deny that Ozias was the son of Joram, must be a simpleton as well as a heretic. Yet, what is the fact? Why, we know, *aliunde*, that there are three links missing, and that between Joram and Ozias we must insert Ochozias, Joas, and Azarias, so that our casual reader would have egregiously blundered. The obvious meaning of a text is naturally accepted until reasons arise, often wholly external, and often born of scientific investigation, which persuade a modification or change of view, and then it may have to be abandoned. Thus, for centuries, the words which occur in the account of the Deluge (*Gen. vii.*) "All the high mountains under the whole heavens were covered," etc., were taken to mean that the waters enveloped the entire earth, but now the universality of the Deluge is very generally denied.

The text of Scripture remains the same, but Geology will no longer countenance the same interpretation. Well, I say, after such experiences as these (and they may be multiplied), we resent the effort made to coerce us into accepting one meaning of words which may easily bear another.

As for Fr. Murphy's illustration concerning Transubstantiation (p. 484). Well, it may be very clever, only it happens to have no bearing whatsoever on the subject.

And this I feel confident he will be ready to grant on maturer reflection. The words of Moses, considered *in se*, do not necessarily include Adam's immediate formation, but with the words of our Lord it is exactly the reverse. They do necessarily and *per se* include transubstantiation and exclude impanation, and that, of course, marks off the difference between the two cases, and destroys the parallel, so that Fr. Murphy's illustration can in no way throw even a glimmer of light over the tortuous path along which he is leading us.

Our Lord took bread, and speaking of it said, "This is My body." These words distinctly exclude the doctrine of con-substantiation: for if This—this thing—be "My body," it cannot be at the same time bread. To make such an assertion would be to declare a metaphysical impossibility: it would involve a self contradiction. In fact, unless it be admitted that a thing may be and not be at the same time (*e.g.* that the substance of bread may remain bread, and yet, at the same time, be not bread, but the Body of Christ), which is the principle underlying the Lutheran doctrine, no rational interpretation of the words of Christ but the Catholic interpretation is even possible.

If the whole of the bread were not changed into the Body of Christ, the words should have been not "this is," but "Here is My body." St. Thomas says, "'*Hoc est corpus meum*,' non esset verum, si substantia panis remaneret; potius esset dicendum: *Hic est corpus meum*." But the words "God made man, etc.," would be true whether He made it immediately or mediately, and involves no sort of contradiction, or metaphysical impossibility. In fact, the words of Genesis do not of themselves trench the question of mediate or immediate creation at all, but leave us just where we are, so that the one case cannot be illustrated by the other.

Fr. Murphy says: "To discuss the argument from analogy would be waste of time, for it is no argument at all."

Here Fr. Murphy seems to ignore the whole system of inductive reasoning, in which analogies play such an important part and possess such a definite value. As long as we hold that God's work is based on a plan, and on harmonious laws, so long must we regard analogies as valuable indications of His system. However, let me add that my chief motive in drawing out analogies

was to diminish that sudden sense of revulsion and distrust which is so natural in those who are confronted for the first time with a new view, by pointing out how *every* man's body passes through the vegetative and sensitive stage before receiving a soul, according to St. Thomas, and that if Adam's body did not, the fact can only be regarded as a most astounding exception. Bishop Ullathorne's words were quoted merely to show how St. Thomas's view is *still* taught by some, in spite of its general rejection—just that, and nothing more—so that Fr. Murphy's astonishment at my claiming the Bishop as an Evolutionist (which I never did) was somewhat premature. I remarked at the outset of this paper that my Reverend confrère is unhappy in his illustrations. One example has already been pointed out in the case of Transubstantiation. Here is another. After instancing the doctrines of the Immaculate Conception of the Blessed Virgin Mary and the Infallibility of the Pope, as illustrating how an opinion only incidentally and indirectly expressed by Theologians and Fathers, and echoed and re-echoed by the voice of the multitude, may become an article of Faith, he attempts to apply this in some mysterious manner to the theory of Adam's bodily formation.

But what could be less apposite. I will say nothing of the difference in the nature of the doctrine itself—unless it be : *transeat*, but confine my remarks to the way in which the truth was arrived at.

The questions of Our Lady's Immaculate Conception and of the Papal Infallibility had been for centuries, fully before the Church. By that imperceptible process extending over ages, which it is impossible to describe, but which reminds me of the gradual storing up of the many weeks of summer warmth and sunshine in the ripe fruit of autumn—the general impression, feeling, sentiment—the Catholic instinct, in a word, had strengthened into a conviction that Mary was Immaculate and the Pope Infallible. But here we have a real example of "*Vox populi, Vox Dei*," for the sensus fidelium on questions *which have been fairly put before them* is unquestionably of very considerable moment : and the two questions under consideration were undoubtedly well before the public mind for ages. Protestants and mis-believers, in fact heretics of every shade and hue, had laughed and derided, denied and protested in turn : history been been freely quoted and misquoted for and against ; texts of Scripture had been bandied about and made to bear

witness now on one side and now on the other. In spite of all this—steadily, forcibly, persistently, the tide of opinion rose till it bore down all opposition, and both doctrines were at length declared to be of faith.

Now contrast this with what has happened in regard to the theory of the evolution of Adam's body. To begin with, it dates but from yesterday. The theory in anything approaching its present form was never contemplated by any of the Fathers. It was never proposed as one of the alternatives. As for the Catholic instinct, the *sensus fidelium*, how in the world could its judgment have been gauged upon a question with *which it could never have been occupied?*

The mere novelty of the present view is enough to account for the indignant opposition it is receiving, and is what anyone acquainted with the working of the average mind would naturally expect. Nothing is more natural than for men to cling to old views: no one likes to have his prejudices rudely shaken, any more than he likes to have his hair pulled. Then again, the world is too vast to be speedily influenced; like a huge unwieldy ship under weigh it cannot change its course suddenly. It takes time for it to 'put about' and to alter its direction, or, to put it in another way: preconceived notions sink deep roots, and are not blown away by the first faint breezes of the on-coming storm.

Fr. Murphy is very anxious that we should take the words "God made man of the slime of the earth" in their "literal" sense. It would be difficult to show which of the two senses is the literal one. The sense that pleases him is certainly the most obvious and *prima facie*, the most natural. But that proves nothing; and I don't know that one is more literal than the other. All that Fr. Murphy urges to induce us to accept his interpretation—and he is sometimes more eloquent than convincing—might very well be urged in favour of many other passages in Sacred Scripture, the obvious meanings of which have long since been wholly abandoned. One illustration is as good as another. Let us take the words of Josue:—

"The sun stood still in the midst of heaven, and hastened not to go down the space of one day."—x. 13.

Let Fr. Murphy transport himself in spirit from the nineteenth to the seventeenth century. He might then make use of the self-same expressions that he now makes use of and

advance the self-same arguments to show that the above words of Josue are to be received in their *prima facie* sense. Thus he might just as reasonably say :—

“The sun stood still; and to say that it did not is pure nonsense.

‘The literal sense is hard to flesh and blood.

But nonsense never can be understood.’—DRYDEN.

“If it really means that the earth stood still and not the sun, is it not strange that no Catholic for 800 years should have even a remote conception of the meaning. For all that time the Church taught the above revealed proposition, and for all that time the faithful believed it; and yet all along the Fathers and Theologians were ignorant of what she taught, and the faithful ignorant of what they believed—that is, if it were the earth and not the sun that stood still. . . . That Catholic must be very credulous who accepts this view (which, as we know all now do accept) on such terms.”—p. 487.

Then he might have waved another rhetorical banner, and have asserted (as at p. 492) that—

“*The sun stood still* is a fact, which comes to us, as the teaching of Fathers and Theologians unbroken, consecutive, consistent all along the line of Catholic tradition.”

That further, it was taught—

“With the full knowledge of the Bishops, with the knowledge of the Prince of Bishops, the visible head of the Church,” etc., etc.

All this would be every bit as true of the interpretation of the words of Josue, as of the words of Moses, yet how the interpretation of Josue’s words have changed in a few centuries!

The following lines from the great Bellarmine, treating of the long since exploded theory of the sun’s motion round the earth, are, if possible, even more forcible and urgent than Fr. Murphy’s, and may point a moral that sometimes needs enforcing. In a letter to Foscarini, he writes:—

“Dico che il Concilio proibisce esporre le Scritture contro il commune consenso de’ Santi Padri e se la P.V. vorrà leggere non dico solo li *Santi Padri*, ma li *commentarii moderni*, &c. . . . troverà che *tutti* convengono in esporre ad litteram ch’il sole, etc. Consideri lei, se la chiesa possa supportare che si dia *alli S. Padri e a tutti li espositori greci e latini*. Non si può rispondere che questa non sia materia di fede, perche se non è materia di fede, *ex parte objecti*, è materia di fede *ex parte dicentis*; è così sarebbe eretico etc.” See Berti, Copernico, p. 123.

If such language could have been used in the seventeenth century regarding what a little later turned out to be absolutely and ludicrously false, how are we to feel secure that there is any more meaning in such language when used in the nineteenth?

Great stress is laid by Fr. Murphy upon the difference between immediate and instantaneous formation. The distinction I of course admit. It is perfectly clear. But it is one of very little practical importance in the present controversy. The distinction between length and breadth is also clear, but once allow length in any existing object, and the existence of breadth is only a corollary.

If anything is to be gathered from Fr. Murphy's language, it is that he is willing to admit that Adam's body might have occupied ages in forming, if only we allow that it was formed by God immediately in the course of those ages.

Now, in admitting this he is really admitting virtually all that I am contending for: let us suppose that the period during which Adam's body was being prepared by God from slime to have extended over—well, say 1,000 years—the length of the period in no way affects the principle: "*Magis enim et minus (ut fert effatum) non mutat principium.*" What does that mean? Simply that at one end of this term of years we have slime, and at the other a fully formed human body, and that not by a single leap, but by a gradual advance extending over that period, which can only be described as a succession of developments from less to more perfect states, Adam's body was made by God.

Now that it occupied time, *i.e.*, was not instantaneous (which Fr. Murphy freely admits as possible) either means this or it means nothing.

Let me try to make this clear.

Here lies the clay that is to be wrought into the body of our first parent. We contemplate it during the process. Instant No. 1—It is primitive clay. Instant No. 2—It has either become Adam's body or it has not. If it has become Adam's body then it was done instantly: if it is still wholly unaltered clay, then the process has not yet begun. In neither case can it be said to have occupied time. But Fr. Murphy allows it may have occupied time; therefore in instant No. 2 the primitive clay must have altered in the direction of Adam's body, and yet not have reached its final stage. In other words, there must have been an inter-

mediate stage—a stage of progression—of greater perfection—and therefore Evolution (or what we would consider equivalent to Evolution—we must not dispute about terms), must have been going on. And so, too, with instant No. 3 and No. 4 and No. 5, and in like manner, throughout the successive instants, till Adam's body was fully formed.

Now this is enough to content most scientists. For what they are anxious about is not the precise character of the force, or whether God directly and *per se*, or indirectly and *per alium* made Adam's body, but that it was gradually formed. As a matter of fact *no* force can be examined *in se*, it can only be studied in its effects.

Fr. Murphy undoubtedly seems to allow a gradual formation, for else why accentuate the difference between immediate and instantaneous? And why put on one side Arriaga's words so lightly because he speaks of the latter and not of the former, if he rejects both equally?

Nevertheless, admitting that the formation of Adam's body may have occupied many ages, it were surely more natural and more consonant with God's ordinary way of dealing, to suppose that He employed secondary agents and existing forms. If Fr. Murphy thinks not. *Iipse videat*. To us it signifies little; the PROCESS, not the AGENT, is the main matter of interest.

Fr. Murphy speaks with little respect of the names I quote as countenancing the mediate formation of Adam's body. I quoted an extract from the celebrated Fr. Secchi¹, but it is objected that he is not a great theologian. Well, I may assure Fr. Murphy that he is not the insignificant theologian he seems to imagine, although his fame as an astronomer has certainly tended to eclipse his other excellencies. But how little does that signify. Fr. Murphy dubs the doctrine of which he speaks heretical, *i.e.*, *contra fidem*. Now, I will ask any unprejudiced man, is it likely, is it conceivable, that the greatest astronomer of this century—a man of world-wide fame, whose lectures are still read and quoted by hundreds of thousands, and have been translated into almost every European language; a priest, too, and a Jesuit, living in the very centre of Catholicity, and lecturing almost under the shadow of the Vatican and within ear-shot of the Pope—would be allowed, without rebuke or

¹ See p. 423 of RECORD.

censure of any kind, to use the words I quoted, if they contained damnable heresy. It is all very well to speak of Secchi as a theologian of small repute. Was he not the friend and associate of such men as Franzelin and Ballarini, of Patrizi, Perrone, and Palmieri? Did not these great theologians and professors live in the same Roman College with him, and read his lectures, and speak of them with enthusiasm and pride? Would they pass over such a paragraph as I quoted in the RECORD without one word of reproof? Nay, could they in conscience, considering their position and office, close their eyes to its significance, and hold their peace, if it were all that Fr. Murphy makes it out to be—if it were heretical, and, consequently, damnable doctrine?

I might make similar queries regarding the others mentioned. Thus, Mendive is much esteemed in Spain as a theologian and, as a writer of valuable works, is not unknown to fame. The book from which I quoted did not issue from some secret press, unknown to his superiors. As the work of a Jesuit, it had to pass through the hands of the censors of the Order, it was published with the permission of the ecclesiastical authorities and opens with a most eulogistic preface by Dr. Juan Manuel, Orti y Lara, whose name, of itself, it might be thought would be a sufficient guarantee of its freedom, at least, from any taint of heresy.

But why call up the names I mentioned in my last essay? Anyone will see that they carry with them, as do Secchi and Mendive, more weight than attaches to any merely personal or individual authority, however great.¹

Fr. Murphy, on p. 494, writes: "In introducing his authorities, Fr. Vaughan says, 'we cannot suppose such men ignorant either of the teaching of the Councils, or of the opinion of the Fathers and Theologians.'" His criticism of this sentence shows he has missed its point. I will now express myself at greater length.

I was merely comparing my modern authorities with Fr. Murphy himself, and wished to point out that the works of theologians of past centuries, and the teaching of Councils upon which he reposes with so much complacency, were quite as much at their disposal as at his, and that

¹ Fr. Murphy alludes in his article to P. J. Knabenbauer, S.J. I have not time to explain his exact position; but would strongly urge Fr. Murphy to read his valuable article in "*Stimmen aus Maria-Laach*," for August, 1877, and he will see for himself.

we cannot suppose them to have been ignorant of the teaching of Councils and the opinion of the Fathers and Theologians, when expressing their opinion in a public and permanent form. In other words, that Mendive and Gemeiner, etc., had had the same data to go upon as Fr. Murphy; but had arrived at an entirely opposite conclusion. Both Fr. Murphy and my authorities had been to consult the same oracle, but had returned with a very different response. The question, therefore, which I only now (when pressed), put in a personal form, is: Whose interpretation of the Fathers shall we accept? The Rev. J. Murphy's, which is condemnatory, or that of Frs. Secchi, Mendive, Gemeiner, etc., etc., which is for freedom? This each reader must decide for himself.

Fr. Murphy does not admit the force of my quotation from St. Thomas, because there is not a consensus as to the manner and order of the world's creation. But had he read my words with attention he would have seen that I not only foresaw, but prepared to meet that very objection. I advisedly drew his attention to the fact that the reason St. Thomas allowed freedom was not the want of a consensus, but because of "the trifling connection such details have with the essence of the Catholic dogma," &c.—p. 419. I even quoted Canon Motais' own words: "Il nous paraît évident que l'intention de S. Thomas est de démontrer que c'est à cause du *peu de relation qu'ont les détails dont il s'agit avec le dogme Catholique*, que les Pères ont pu se tromper sur ce point," &c. But Fr. Murphy writes as though I had made no such allusion.

My other quotations also, which Fr. Murphy so calmly lays aside as of no moment, revive in their full force and power, now that his arguments have been sufficiently examined.

In the course of his paper Fr. Murphy commits himself to some strange assertions, but I can only afford time for the consideration of a few. Let me pick out one or two: He argues that "if my authorities are really learned men, they must have good reason for what they do," &c.—page 195. Well, of course: *cela va sans dire*, and that is why they reject the doctrine themselves as being probably *contra factum*, but do not anathematize its supporters as being probably *not contra fidem*.

He goes on:—"They show a distrust of their own

reasoning when they refuse to act upon it." Here I feel inclined to ask, with the child in the story :

"Lehrer, was machst du ?
Schläfst du oder wachst du ?"

Fr. Murphy must surely have been nodding when he wrote that. Let us see what is their own reasoning, and then we shall see they *do* act strictly in accordance with it. They reason (1) that the arguments for proving man's mediate formation are insufficient, and therefore they decline to abandon the old view ; (2) they reason that the arguments for proving man's immediate formation to be of Faith are not conclusive, and therefore they decline to condemn that opinion as heretical. To my mind this is the position which most commends itself, and the position I also take up and defend. Has Fr. Murphy forgotten, I wonder, the thousand and one instances we meet in theology of theologians embracing one opinion themselves and yet not denying all probability to the opposite? What is this but another such instance.

There are many other points in the paper of my Reverend confrère over which I would like to press the hot-iron of criticism. But ten pages is the usual allowance for writers in the RECORD, and I have already, alas ! exceeded that limit, so must be content to leave much unsaid.

In conclusion then, say what he will, Fr. Murphy cannot emerge from his position. God says He "made," and he interpolates the words "immediately " because he and his theologians take that to be the ordinary sense, and he insists that we must all do the same. But does not that savour of narrow-mindedness?—a fault that is the very bane of both theologians and scientists in these days. If they would both imitate the patience and caution of the Church, and abstain from anathematizing each other until questions are more or less matured, incalculable good would result, not only to charity, which would be less frequently and less flagrantly violated, but to science and theology, which would both be freer to make more rapid advance.

Anglicans like Pusey, Littledale, &c., have often been accused, and most justly, of exercising private judgment in their interpretation of the Fathers, even when they professed to base their decisions on their testimony alone. But do not we priests expose ourselves to a similar accusation when we assume a like *rôle* and begin, for no better reason,

to dictate on matters concerning which the Church has not definitely spoken? Is there no danger of private judgment on the part of a Catholic Theologian explaining the Fathers, as well as upon the part of an anglican; if not in the same degree, at least in some degree? Or if not, why not?

I conclude with the advice of St. Bernard, which I have been trying to act upon throughout this controversy:

“NEMO DUBIA PRO CERTIS ADMITTAT.”

JOHN S. VAUGHAN.

RECOLLECTIONS OF GRANARD, CO. LONGFORD.

BEFORE noting some events which appear to be worthy of reproduction in connection with the history of this ancient and important town, I shall commence by explaining the origin of its name. What then does the word, Granard, signify? It is a compound of two Irish words “Grain,” “Ard,” the former signifying the “Sun,” and the latter “Eminence.” “Grain” was sometimes used as a woman’s name. The Annalists speak of a “Lady Grain” whose tomb is to be seen at “Tomgraney,” Co. Clare. The traditions of the place still preserve her memory. They say that she was drowned in Lough Graney; that her body was found in the river at a place called Derry-graney. She was called the “Sun’s brightness.” Another lady named “Grain” was buried near the town of Antrim at a place called Carngranny. Her monument also remains, as Mr. Reeves testifies in the following words:—“It consists of ten large slabs raised on side supporters like a series of Cromleahs, forming steps, commencing with the lowest at the north-east, and ascending gradually for the length of forty feet towards the south-west.” But I do not find it stated anywhere that a lady of that name was buried at or near Granard. I therefore infer that “Grain,” which is the Irish word for the “Sun,” and “Ard,” an “Eminence,” were applied to designate the old town of Granard, owing to its lofty and sunny eminence. This place, like Tara, is supposed to have been one of the important stations appropriated to the celebration of idolatrous worship before the introduction of Christianity into our country. Granard, as it

now stands, is bounded on the north-western extremity of its great wide street by a high artificial mound called the "Moat." Before its destruction in 1315 by the Scots, commanded by Edward Bruce, the old town was situate close to the present old church at Granard Kill. This old church, standing in the parochial cemetery, was the *matrix ecclesia* of the parish before the completion of the new beautiful Gothic edifice now so gracefully topping the hill of Granard, and overlooking not only the town but also commanding charmingly picturesque and diversified scenery in more than one neighbouring county. The *coup d'œil* from this spot is something to be remembered. Saint Mary's, Granard (so worthily and prudently presided over by the Venerable Archdeacon O'Flanagan, V.G.), is not only the *matrix ecclesia* of the parish, but also the chief church of the Deanery, non tantum ratione officii et altitudinis, sed etiam ratione magnificentiæ tum externæ tum internæ. In the days of the old town's existence, of which traces are still observable in some of the rich fields (equally, perhaps even more rich than the pastures of Golden Vale), owned by the much respected widowed lady of the late lamented William O'Flanagan, Esq., the Moat stood on the north-eastern side of Granard. Sentinel-like, it now stands a towering bulwark at the north-western side of the town. On the age, origin and uses of this large Mound or Rath, I shall now make a few remarks. In my researches for evidence sufficient to determine the exact period of its origin I found none. It is certain, however, that it was in existence when St. Patrick visited Granard. For in the Book of Armagh, lately edited with admirable ability by the Very Rev. E. Hogan, S.J., the following passage occurs:—

"Et venit, *i.e.* S. Patritius per flumen Ethne, *i.e.* the river Inny in Tethbias—*i.e.* Teffia which was divided by the river into almost equal parts, one of which was in the barony of Granard, et ordinavit Melum Episcopum et fundavit Ecclesiam Bile, *i.e.* Clonbroney, et ordinavit Gosactum filium milcho Maccuboin quem nutrit in Servitute vii. annorum et mittens Camulacum Commiensium in campum Baile-Cuini vel Cumi, *i.e.* Ballycowan, King's county, et digito illi indicavit locum de cacumine Granaret, *i.e.* Granard, Ecclesiam Gaithin, *i.e.* Rahin."

In the Dictionary of Christian Biography, vol. i, page 395, the Church of Gosact is said to have been at Rahin, near Tullamore, a distance of about thirty-six miles. It is therefore certain that the Moat of Granard was in existence

previously to St. Patrick's advent there, and if Raithim be taken as identical with the modern Rahan, King's county, and not some other place nearer to Granard, the great altitude of the Moat from which Rahan was thus pointed out by the Saint's finger necessarily follows. But I am compelled to think the place so indicated was not the modern Rahan, which certainly our Saint could not have pointed out except in the most vague way, and that barely as to the direction in which it lay. There were, however, several small Rathes or Raithins in the neighbourhood. Abbey-larah was one for Larah, signifies a half Rath. It was probably this place which St. Patrick indicated to St. Guasact, who was afterwards to erect a monastery there and preside over it as Abbot. Moreover he was not Abbot of Rahin, King's County. What then is the exact period of the erection of this mound, cannot, in my opinion, be determined with certainty, but may be approximated. If the opinion of those writers who hold that all the circular forts of this country were erected by the Danes, be correct, then the age of the Moat of Granard may be at once fixed. But I do not hold that opinion, and I think it has now few supporters. I am convinced that the Danes had fortresses of some kind in Drogheda, Waterford, Limerick and Dublin, and the other maritime towns in which they settled. I am convinced that the impious monster, King Turgesius, who was slain, nobly, heroically slain, upon the Altar of Chastity for an attempted violation of its rights, and under circumstances similar to those in which the Roman Lucretia acquired the surname "chaste," or in which the Grecian Hippo, the youthful Cyana, and St. Euphrasia, the virgin and martyr, piously fell, had erected for himself a large fort in Loughree, from which he plundered Connaught and Westmeath. These are, however, only particular cases in which the Danish invaders, following the custom of the country into which they came, erected circular mounds for residence and defence. That Rathes, Lisses or Duns, words used to designate the domestic and military structures in use amongst the ancient Irish, were not of Danish origin, may be proved from this fact alone, that they are found in every part of Ireland, and more plentifully in districts where the Danes never gained any footing, than where they had settlements.

There are abundant proofs that these structures were the dwellings of the people of this country before the adoption of houses of the rectangular form. The larger

Raths were inhabited by the better classes, and the great fortified ones by the princes and chieftains. Judging from the remains still to be seen at the historic sites, Tara and Rathcroghan, places celebrated for ages as royal residences, and still affording the finest and most characteristic specimens of Irish circular forts, I should say that the Moat of Granard was the fortified residence of the chieftains of that part of Ireland in the pre-Christian times. In proof of these assertions, I may observe that in our ancient writings the residences of the people of this country were mentioned by the various names of Rath, Lis Dun, as constantly as houses and castles are in the books of the last three centuries. To illustrate this argument I will give a few passages which might be extended considerably. In the feast Dun-na-ngeah (Battle of Moyrath), Conal Claen thus addresses his foster father, King Domhnall, "Thou didst place a woman of thine own tribe to nurse me in the garden of the Lios in which thou dwellest." On which O'Donovan remarks, "The Irish kings and chieftains lived at this period, 637, in the great earthen Rath or Lisses, the ruins of which are still so numerous in our land." In the same tale we read of two visitors that were conducted into the Dun, and a dinner sufficient for a hundred was given to them, and in another place, King Domhnall says to Congall, "Go and view the great feast which is in the Dun." And in the Book of Leinster, page 85, it is recorded that Queen Maev, who flourished in the first century of this era, sentenced the five sons of Dihorba to raise a Rath around her which should be the chief city of Ulster for ever. Circumvallations were invariably built around the Rath, Liss or Dun. The passages already quoted abundantly prove that the residences of the people of this country, before the introduction of Christianity, were denoted by the words Liss, Rath, Dun. And such buildings continued to be erected down to the twelfth century. Joyce states that Dun was anciently applied to the great forts with a high central mound, flat at top, and surrounded by three or more earthen circumvallations. These fortified Duns, he adds, were the residences of the kings and chiefs of that time. Such a mound was the Moat of Granard, and therefore, I have said it was in its day of initial use—a royal residence and rampart as well. It is now under grass, whilst its internal chambers, which are, doubtless, of the ordinary kind found in such places, are untenanted, save by the Fairies, whom popular superstition has rooted

there, never to be evicted by crowbar or other brigade. It has not been under tillage in the memory of any person living in the neighbourhood. The people have almost invariably felt a great reluctance to put such places under tillage. Tales are sometimes told of calamities that befell the families or cattle of foolhardy persons who outraged these dwellings of the Fairies by tilling the enclosure or removing the earth, or endeavouring to penetrate their recesses. But this is only a superstitious fear. The Duns, Rathes, Lisses, of Drogheda, Naas, and Castletown, near Dundalk, are now crowned with modern buildings, and the inhabitants of these towns are none the worse of the supposed Fairies.

If evil results to mind or body followed attempted excavations of such places, fear seated in weak minds and nervous constitutions, and not the alleged Fairies, produced such effects.

Probably in the chambers of these Lisses articles of considerable value lie concealed. Having thus determined the origin and use of the Moat of Granard, what shall I say of its age? I have already said the period of its erection can, in my opinion, be only approximated. It is certain that it was in existence, as I have already shown, when St. Patrick visited Granard. But how long before his advent it was in existence I am unable precisely to determine. It does not seem improbable to suppose that its erection was coeval with Queen Maev. At all events it was touched by the sacred feet—(consoling thought for Granardians)—of our National Apostle, who, accompanied by St. Guasact, climbed its steep sides, until having reached its summit, they looked upon the fertile plains stretching out in all directions and blest them. I recollect to have employed my mind on a certain occasion when making this difficult ascent with pleasing and ennobling reflections upon the fact and *mode* of St. Patrick's visit to this elevated spot. I derived courage, strength, and joy from the thought that I was climbing possibly by the very same footway to where St. Patrick and Guasact came ages ago. I well remember to have on a certain occasion asked a Dispensary Doctor, whose duties frequently obliged him to ascend steep and rugged mountains, and attend the wants of the sick poor, how he used to feel when climbing the difficult heights, and he answered: "I keep thinking it will be very much easier when coming down." And what is more to the point, I recall with pleasure a conversation

I had in 1875 in a Roman hotel, with an American Presbyterian parson, after one of his daily excursions to some of the many objects of everlasting interest to every Christian. He had just been to see the Mamertine prison, where Saints Peter and Paul were chained; he was just after feasting his eyes and mind upon the glorious Basilicas of San Pietro in Montorio, San Paolo Fuori Le Mura, San Pietro in Vincoli, and St. Peter's itself—and in giving some of his impressions regarding what he had seen, he observed (his eyes moistened with tears): “I have said to myself more than once to-day, ‘is it a fact, or is it a dream, that I am standing where Saints Peter and Paul stood?—walking in the very place where they walked?’” He became overwhelmed by the thought. It was a moment of inward salutary growth for him. “His mind itself, expanded by the spot, had grown (not colossal) almost Catholic.” He was afterwards received into the one true Church. Yes, there is a salutary spell about the places sanctified by the foot-prints of our Apostles, which elevates, ennobles, and expands the soul. Be that as it may, the *Book of Armagh* tells us that St. Patrick, having consecrated St. Mel, and founded his church at Ardagh, passed on to Northern Teffia, now the Barony of Granard, and there founded the Nunnery of Clonbroney, over which he placed Emeria, sister of St. Guasact. Guasact himself, son of Milcho, he ordained, and afterwards made Bishop of Granard. Ware says that Granard was an early Episcopal See, founded by St. Patrick. I do not find sufficient evidence to enable me to say that it was at any time an Episcopal See, independent of Ardagh. There are two ways by which we may explain the fact that Granard once had a bishop of its own. The first method is founded on the supposition that it was once an independent See, with territorial jurisdiction of its own. But this supposition does not seem probable. If it ever was, it had certainly lost its independence, and been amalgamated with Ardagh, before the Synods of Rathbreasal and Kells, held for the purpose of reconstructing and consolidating the different dioceses, already too numerous. In no published list known to me does the See of Granard appear amongst the sixty Sees to be so absorbed. I therefore think we must have recourse to the second method of explanation, which is to be found in the existence of the Chorepiscopi.

I pass over Dr. Todd's theory of “non-diocesan jurisdiction,” because I am convinced that the Very Reverend

Dr. Gargan, V.G., has, in his very able essay on the Ancient Church of Ireland, entirely demolished its claims to probability.

Dr. Todd affirms that there was "no archiepiscopal or diocesan jurisdiction in Ireland until the twelfth century, no fixed Sees, no regular succession or jurisdiction; and that St. Patrick and his followers adopted the plan of sending forth bishops to act independently, or subject only to the abbot of his monastery, or, in the spirit of clanship, to his chieftain." Of course, if this theory were adopted, Granard would have been as independent a See as any other in the country, and St. Guasact as independent a bishop as St. Mel; that is to say, they would have had no independence at all. But as I have said, Dr. Todd's plan for the reconstruction of early Irish history has been completely destroyed by His Eminence Cardinal Moran and Dr. Gargan. The theory of the Order of Chorepiscopi remains, and is well founded. It is generally admitted that such an order existed in Ireland from the introduction of Christianity into this island, and was continued until the twelfth century, concurrently with "independent diocesan jurisdiction," "fixed sees," and "regular succession." A Chorepiscopus was a priest who, having received episcopal consecration, was not appointed to any See of his own; but continued subordinate to the bishop of the church or diocese in which he officiated. He was a bishop; but, as such, had no territorial jurisdiction. There were many such bishops here in Ireland, as well as in all parts of the early Christian Church. Such was the practice in the East and the West from the third century. Such was the practice where St. Patrick himself was consecrated; and bringing the discipline of his Mother Church with him into this land, our Apostle had a bishop consecrated and placed in every city, town, and village. Hence, St. Patrick consecrated, the *Book of Armagh* tells us, four hundred and fifty bishops. We may therefore suppose that St. Guasact was only a Chorepiscopus, and that Granard was not an independent *See*, or that at the time of Guasact's consecration St. Patrick had not yet made a regular diocesan division. This view receives confirmation from what is found in the *Monasticon Hibernicum*. There it is stated that St. Patrick founded a monastery at Lerha, near to Granard, and dedicated it to the B. V. Mary, and appointed St. Guasact its first abbot.

His feast is commemorated on the 24th January. Here

I may observe that all antiquarians and writers on ecclesiastical matters, who have touched the subject of the antiquities of this locality, have written of Lerha, now Abbey-lara, as one of the most precious and sacred possessions of Granard. When, for example, they write of "St. Mary's, Granard," it is of the old Monastery of Lerha they speak. I note this fact because Granard and Abbey-lara, being now distinct parishes, and more than an Irish mile apart, a modern traveller and inquirer, anxious to see the ruins of the famous Cistercian Abbey, founded by Sir Richard Tuíte, and called St. Mary's, Granard, would scarcely think of going to look for it at Abbey-lara; and yet it is so. Sir Richard Tuíte performed and left after him two great works of different orders; one purely secular, and the other religious. In 1199, he built the Castle of Granard as a defence against O'Reilly of Breffney. I make this and the following statement on the authority of the *Annals of Lough Ce*. Close by was the ancient fortified boundary or dyke between Breffney and Annally, extending from Lough Gowna to Lough Kinclare, a portion of which entrenchment, it is said, may still be seen. It is known by the modern name of Duncle. In 1205, Sir Richard Tuíte founded an abbey here, to the honour of the B. V. Mary, for monks of the Cistercian Order, whom he brought from St Mary's Abbey, Dublin, an abbey rendered famous in 1551 by the public disputation which took place within its walls, at the special invitation of the viceroy, in the presence of the clergy and a vast concourse of the people, and was terminated by contributing a fatal blow to Protestantism in Ireland. It was that same abbey which gave to the See of Ardagh, in 1647, Patrick Joseph Plunkett, who, at one period of his reign, was the only bishop *living, moving, and performing the functions of his high office* in Ireland. He ordained, after his return from exile, two hundred priests from various dioceses of Ireland, there being no other resident Bishop in the kingdom save the bed-ridden Bishop of Kilmore. In 1211, Sir Richard Tuíte was interred in this Abbey, having been crushed to death by the falling of a tower in Athlone. He was a *brave, noble and generous soul*.¹ His representatives

¹ The following incident regarding a descendant in lined recta of Sir Richard Tuíte, may be interesting to some:—"After the siege of Gibraltar, Hugh Tuíte, Captain of the grenadier company of the 39th, returned to England with his regiment, and shortly afterwards retired from the service. He passed his winters in the gaiety of the Irish metropolis, at that period the winter quarters of many of the

now reside at Sonna, Co. Meath, but unhappily they do not belong to the Church of their great ancestor. St. Mary's, Granard, so nobly founded and richly endowed, was pillaged, rifled and despoiled about a century after its erection. In 1315 Edward Bruce, commander of the Scots, advanced upon Granard, burned it, and afterwards seized and plundered the Monastery. This was the third burning of Granard recorded by the Annalists. To one of these burnings an unfortunate dispute between the chieftains of Breffny East and Breffny West, led. The first took place in 1066, when Murchadh, son of Diarmaid, marched upon Granard, and the second in 1272, when Aed O Conchobhair, like an angel of destruction, passed through it and the neighbouring Meath. The Monastery, however, survived the spoliation. In 1398 Peter, its Abbot, was consecrated Bishop of Clonmacnoise, whilst in 1447, John O'Mayle, one of his successors in St. Mary's, was also called to succeed him in the See of St. Ciaran. Dr. Brady,

nobility, but whose mansions, since the Union, have gradually passed into other hands, so that at the present day I do not believe any of them possess a residence in the city.

At that period the Countess of Ormonde's parties were amongst the most *recherche* in Dublin. At these *reunions* Captain Tuite was a frequent guest, and though not then in the army, he continued to wear the *queue*, which for years he had been obliged to adopt as a necessary part of his military costume. At this time Captain Arthur Wellesley, afterwards the *Iron Duke of Wellington*, was on the staff, as Aide-de-Camp to Lord Westmoreland, who was Lord Lieutenant from 1790 to 1795, and was with a party from the Castle, at one of Lady Ormonde's overflowing evenings "at Home." Captain Tuite was also there, and engaged at a card table, with Lady Ormonde as his partner, when he observed some young gentlemen and officers highly entertained and smiling at each other. He soon saw, from the direction of their eyes, that he was the object of their mirth, and turning sharply round, to ascertain in what manner he had been so fortunate as to contribute to the evening's amusement, found Captain Wellesley standing behind his chair diverting himself and the company with his queue, the end of which he had at that moment, most unfortunately, a tight hold of. Captain Tuite stood up—he was a tall and powerful man—and took the facetious Aide-de-Camp by the neck, lifted him completely off the ground, gave him an angry shake, and dropped him without uttering a word. He resumed his chair and finished the game of cards.

As soon as the game was over, Captain Tuite resigned his seat at the card-table, expecting, as a matter of course, that he would receive an invitation to an early airing in the Fifteen Acres, "*be the same more or less.*" In a short time, Captain Wellesley, accompanied by another of the Aide-de-Camps, came up to Captain Tuite, the former appearing much agitated, and apologised for the unwarrantable liberty he had taken with him. Captain Tuite drew himself up to his full height, and replied, "*As the apology has been as public as the offence, I forget it, Sir,*" and made him a bow.

in his very valuable notes upon the Irish Monasteries, has the following extracts from Roman manuscripts regarding this celebrated Abbey, "Granard, alias Lerha, 1423. John, on the 11th October, 1423, Ven. Vir. D. Joannes Abbas Monasterii B. Mariae de Granardo Ardagh-aden-Dioc., &c., &c., obtulit 33½ florenos auri, &c., &c., et quinque servitia conseuta. Mandati Camerali."

"1489. January 20, Cornelius O'Fergal on the 23rd January, 1489. Vener. Vir. Cornelius O'Fergayl. Comendatarius Monasterii B. Mariae de Granardo alias de Leathia Cisterc, ordinis Ardachaden Dioc., principalis obtulit, &c., &c. (ratione commendae eidem D^{mmo} Cornelis faciendae per Bullas Dⁿⁱ Innocentii Papae VIII. sub dat. 13 Kalend. Decembris, anno quinto, &c.) florenos auri de Camera 83 cum uno tertio." *Obligazioni*. Its last Abbot was Richard O'Farrell, who, according to Archdall, was made Bishop of Ardagh in 1541. Sir James Ware places the succession of R. O'Farrell to the See of Ardagh in the same year, 1541, whilst Dr. Brady states that his appointment was ignored at Rome, and on Queen Mary's accession, Patrick MacMahon was restored to the temporalities of which he had been deprived on account of alleged simony and non-residence, and having his cathedral in ruins. The words of Ware are "Richard Farrell, Abbot of Granard, being elected by the Dean and Chapter, obtained restitution of the temporalities of this See on the 14th July, 1541. But he was not consecrated until after the 22nd April, 1542, on which day George Cromer, Archbishop of Armagh, being disabled through sickness, issued a commission to any three bishops of Ireland to consecrate him. He died in 1553, having sat twelve years. He was Dynast of Annally (Longford) as long as he lived. Patrick MacMahon succeeded him in the bishopric, and Conal Ferrall in the dynasty." The *Monasticon Hibernicum* contains the following remarks regarding the possessions of this Abbey at the time of its surrender:—

"On the surrender of the abbey the said Richard was seized of two carucates of land, with their appurtenances, in Olonemore, of the yearly value, besides reprises, of 13s. 4d.; four carucates in Lerha, of the yearly value, besides reprises, of 26s. 8d.; two carucates in Clonecryawe, of the yearly value, besides reprises, of 13s. 4d.; two carucates in Tonnaghmore of the yearly value, besides reprises, of 13s. 4d.; four carucates in Monkton, of the yearly value, besides reprises, of 26s. 8d.; and the tithes of corn in the rectory of Monkton, of the

yearly value, besides reprises, of 40s.; also of a moiety of the tithes of the rectory of Granard, of the yearly value, besides reprises, of 26s. 8d.; a moiety of the tithes of the rectory of Drumlonian, of the yearly value, besides reprises, of 13s. 4d.; and the moiety of the tithes of the rectory of Ballymachivy, of the yearly value, besides reprises, of 10s. The rectories of Athlone, Levanaghan, Clonmacnoise, Tessaurean, Ballyloughlo, and Reynagh (*i.e.*, the whole Diocese of Clonmacnoise), were all appropriated to this abbey."

From this extract it is evident that St. Mary's, Granard, was a wealthy institution. Like so many other abbeys, it had been founded by the generous and powerful as a fitting but humble tribute to the great Author of all good gifts. A consecrated sanctuary of prayer, an asylum of charity, a bulwark of religion and science it was indeed, and moreover a welcome home for the destitute and afflicted. If its abbots held large estates it was in trust for religious purposes; and their tenants were happy and comfortable. Cases of oppression, rack-renting and eviction were unknown to them until the crozier had been exchanged for the sceptre. But the parliament under St. Leger sat in 1541, and the Act was passed granting the full and free disposal of all the abbeys and priories to his Majesty the king, who distributed their possessions amongst his nobles, courtiers and others, reserving to himself certain annual rents. The work of public plunder, thus commenced under the schismatical Henry, was continued with increased vigour and rapacity by the heretical Elizabeth. A furious and destructive tempest had indeed been raised, and it raged and rolled with unabated energy during her unhappy reign over the Church of Ireland, until the sanctuary, with its loveliness and religion, with its blessings, appeared, alike involved in the same wreck. St. Mary's, Granard, when the storm had subsided, was to be found only in ruins, whence it has not arisen even to this day.

The last historical recollection in connexion with this old town, which I shall presently reproduce is a most praiseworthy effort, made towards the close of the last century by one of its own sons, although himself in exile, to save the Irish harp from extinction. Mr. Walker wrote in 1786, when he published his history of Irish bards, "that the school of harp-players was fast dying out." Mr. Dungan, a native of Granard, but residing at Copenhagen, established an institution at Granard for awarding annual prizes

to the best performers on the harp. Seven harpers competed there for his prizes in 1784, and the contest terminated with a ball, attended by the gentry of the neighbourhood. For two centuries the penal laws had been fiercely directed towards the extinction of Irish music, as well as devotion to the faith. The total extirpation of the Irish minstrels was especially aimed at. From the earliest times the Irish had been regarded as a musical people, and their claims to that character have been admitted even by the foreigner. The harp was the instrument to which they were most devoted. It was their national emblem also. Hence the fierce and unrelenting efforts for its extinction. In the tour of Monsieur de la B. le Gouz, published for the first time in 1653, the following passage occurs:—

“They (the Irish) are fond of the harp, on which nearly all play, as the English do on the fiddle, the French on the lute, the Italians on the guitar, the Spaniards on the castanets, the Scotch on the bagpipe, the Swiss on the fife, the Germans on the trumpet, the Dutch on the tambourine, and the Turks on the flageolet.”

A commentator on the above passage says—

“This reminds one of our own, Goldsmith, when he says: ‘I have drunk burgundy with the French, hollands with the Dutch, gin with the Swiss; eaten vermicelli at Naples, and sourcroust in Germany.’”

Certainly both these writers were citizens of the world, as doubtless was also our noble-hearted and generous-handed exile from Granard, who, from his adopted home at Copenhagen, made so patriotic an effort to save our national musical instrument from extinction. Surely a soul of such noble and lofty aims deserved success. “But ’tis not given to mortals to command success.”

J. MONAHAN.

THEOLOGICAL NOTES

[In our Notes for last month, within a few lines of the top of page 574, “renewed *in foro externo* on” crept into the text instead of “removed *in foro interno*.”]

A FEW REMAINING POINTS CONNECTED WITH “EXECUTIO DISPENSATIONIS.”

A CCEPTANCE of the dispensation, in some way by the person whom it benefits, was mentioned in the first of these papers as one of four acts which claim the

delegate's careful attention. Its turn comes now. Up to this the three other acts were under discussion, special absolution, when given, being treated as a beginning of fulmination because of its close adherence to the latter. Such absolution must always be deemed to form at least a preliminary part of the favour which the delegate is commissioned to grant. And accordingly, unlike verifying the petition or imposing obligations, the act of absolving is in itself a kind of fulmination, a flashing forth by delegated authority of a valuable concession to the recipient. Acceptance of this, and of the still more coveted gain of relief from the bond of an impediment is, as a rule, yielded with gratitude. But in exceptional cases it might happen that the person interested would refuse to accept, or accept and afterwards renounce, the dispensation. These possibilities require a few words here, and naturally suggest another also with which a delegate may have to deal; that is, the desirability of revoking his decree.

ACCEPTANCE.

Since to grant a dispensation is nothing more than to remove an impediment created by ecclesiastical law, and since the Roman Pontiff can so control Church enactments as to throw down the barriers which they set up, it follows at once that he *can* validly dispense without reference to any action on the part of the persons affected.¹ Usually, however, he awaits a petition and grants the request, subject to acceptance. The *dispensatio in radice* is often an exception. It has been given, not alone without knowledge on the part of those concerned, but where, if matters were explained, one or other would for certain object to validation. In other cases St. Liguori (l. v., n. 1145) expresses the Supreme Pastor's mind by saying generally:—

“Ad dispensationem *obtinendam* non requiritur consensus ejus cui prodesse debet, quamvis, ut *prosit* ab ipso postea acceptanda est.”

Whose acceptance is required? The question regards those only who are made aware of the dispensation, and is at once answered for them by stating that every one should accept the favour for whom fulmination is prescribed. But, at the same time, it is to be remembered that, when

¹ Brillaud, p. 294, nn. 347-8; Burgt. p. 74, n. 36.

an impediment is common, acceptance by one alone will suffice unless the other is beforehand with a formal refusal.¹

How is consent expressed in this matter? As a general rule, what the petitioner does, is to attend carefully while the confessor, parish priest, or ordinary, states that a dispensation has been, or is going to be, fulminated. This fully suffices to manifest acceptance. It may be the individual does not know that a dispensation has been sought, much less actually granted. Still from the moment consent to receive it is given the grace takes real effect by permanently removing the impediment. But in simple dispensations asked and fulminated without any intimation to the person or persons affected, subsequent consent of this kind is essential, and accordingly until it is given the favour remains practically suspended.

It is different when the contracting parties knew that application was being made on their behalf. For then, as canonists and theologians² generally hold, there was sufficient acceptance by anticipation. This is an important point. It shows that marriage in the case made may be valid at any time after fulmination, no matter how unaware the parties happen to be of the latter event. There was, by supposition *acceptatio* beforehand, and as soon as *acceptatio* and *fulminatio* meet, the impediment at once ceases to be an obstacle. It may be well to add, that before the very important decree given in the last number of the RECORD,³ this meeting also marked the point beyond which *incest* could not mar a dispensation. At present that offence does not affect the validity of dispensations unless so far as the authorities may still continue its former importance in the *Separation* clause.

RENUNCIATION.

Once obtained, a dispensation will not cease from non-use. And laying vows aside, private renunciation is equally incapable of bringing back the impediment. Nay,⁴ renunciation into the hands of the delegate is unable to produce this effect. It must be made to him who gave the *mandatum dispensandi*, whether Pope or Ordinary. The

¹ Planchard, p. 134, n. 309.

² Burgt, pp. 75-76. Planchard, p. 134, n. 308.

³ I. E. R., Third Series, vol. vi., No. 9, pp. 607-8.

⁴ Planchard, p. 134, n. 310, and p. 143, n. 324; Feije, p. 720.

delegate's office was chiefly executive. It regarded fulmination, and expired with the performance of that act. It did not, therefore, include any right to receive renunciation. To do this belongs to the delegating prelate, or to the higher authority from which his powers are derived.

On the other hand, however, formal renunciation¹ is not necessary in order to destroy the favour. The implied rejection of it which would be involved in obtaining a fresh dispensation from the same authority to contract with a different person, produces the same effect, whether mention is or is not made in the second petition of the former concession. But no consequence of a like nature follows, if another marriage for which no dispensation is required be celebrated. In this case the old grace remains in force. The same, we think not improbable, if two dispensations were in question, the former of which would be papal, the latter episcopal.

REVOCATION.

About *revocation* little need be written. The delegate's powers, as has been so often stated, cease as soon as he has fulminated the dispensation. Consequently he cannot afterwards interfere to withdraw the favour. Should he, however, in some rare case, consider that public or private interest calls for its forfeiture,² his remedy lies in applying to the authority under whose commission he acted. The Holy See can easily erect the old barrier. So too, it appears, can the Bishop, when episcopal dispensations are concerned, provided there be a sufficient cause for such proceedings. But in the absence of a just motive the Supreme Pontiff cannot be thought to bestow powers which are strictly his own, and which do not come within the ordinary range of delegation. Such, undoubtedly, is authority to call into fresh existence an impediment which had been completely effaced.

This brings our present series to an end. We have not spoken of how a dispensation should be applied for, or of how a married person, after being dispensed, should proceed in the matter of renewing consent. Our object was to go over in a general way the uneven field in which lie the labours of those who are appointed in "*forma commissoria*" to grant particular dispensations.

We subjoin a list of the contractions, which occur

¹ Cf. Feije, *Ibid*.

² Planchard, p. 143, nn. 324-5 ¶

chiefly in answers from the S. Penitentiary, and also an important decision showing that the clause "*erogata aliqua eleemosyna*" is satisfied, as far as validity is concerned, by a promise of alms made before fulmination. The contractions are found in works on Canon Law, or on dispensations. Our list is taken from Craisson¹ and Brillaud²:—

Abnis.	for Absolutionis	Grae.	for Gratiae
Alr.	„ Aliter	Huji or Huoi.	„ Hujusmodi
Ao.	„ Anno	Humter.	„ Humiliter
Aplica.	„ Apostolica	Infraptum.	„ Infrascriptum
Aucte.	„ Auctoritate	Igr.	„ Igitur
Ben & Beneonem	„ Benedictionem	Innoti.	„ Innodati
Beneo.	„ Beneficio	Misles.	„ Miserabiles
Cardium.	„ Cardinalium	Matrum.	„ Matrimonium
Cen.	„ Censuris	Mtae.	„ Monetae
Conseq.	„ Consequendae	Mir.	„ Misericorditer
Confeone.	„ Confessione	Nihilus.	„ Nihilominus
Constibus.	„ Constitutionibus	Ntra.	„ Nostra
Coini.	„ Communioni	Ordibus.	„ Ordinationibus
Consciae.	„ Conscientiae	Ordrio.	„ Ordinario
Definien.	„ Definienda	Orum.	„ Oratorum
Discreoni.	„ Descretioni	Paupes	„ Pauperes
Dna.	„ Divina	Poenia.	„ Poenitentia
Dno	„ Domino	Pmissis.	„ Praemissis
Dta.	„ Dicta	Pti.	„ Praedicti
Dudo.	„ Dummodo	Ptio.	„ Petitio
Ecclis.	„ Ecclesiasticis	Quus.	„ Quatenus
Eccle.	„ Ecclesiae	Reverum.	„ Reverendorum
Emorum.	„ Eminentissimorum	Spealis. or splis.	„ Specialis
Epus.	„ Episcopus	Sacramlis.	„ Sacramentalis
Etm.	„ Etiam	Saluri.	„ Salutari
Exas.	„ Existas	Solemnare.	„ Solemnizare
Excois.	„ Excommunicationis	Sen.	„ Sententiis
Exptes.	„ Exponentes	SSmus.	„ Sanctissimus
Exunt.	„ Existunt	Ten.	„ Tenore
Gali.	„ Generali	Sartum.	„ Sacramentum
Genelium.	„ Generalium		

The following answers were given by the S. Penitentiary in 1859 :—³

1^o Utrum satis sit ut (ante dispensationis fulminationem) eleemosyna definiatur ab Ordinario, et Oratores promittant se illam erogaturos? 2^o Utrum eleemosyna ab Ordinario definita fieri debeat ante dispensationis fulminationem? 2^o Utrum haec eleemosyna fieri debeat ante dispensationis fulminationem, sub poena nullitatis? S. Penitentiaria mature perpensis expositis, rescribit : ad primum quaesitum, *affirmative*, nisi expresse Ordinario ipsi aliter injunctum fuerit; ad secundum, *provisum in primo*; ad tertium *negative*.

PATRICK O'DONNELL.

¹ V. L., p. 434.]

² P. 200, n. 229.

³ Brillaud, pp. 248-9.

THEOLOGICAL QUESTIONS.

The chaplain to an orphanage owned and directed by a religious community lent a considerable sum to build a chaplain's house on the grounds of the institution. Some years afterwards, being removed from his office by the Ordinary, he refused to give up possession of the house or to admit to it his lawfully-appointed successor, until the money he had lent, or, as the community contended, had contributed towards the building, was refunded.

Does the aforesaid chaplain come within the censures inflicted by the Council of Trent? *Sess. xxii. c. ii. de Reform. Si quem clericorum* and confirmed by the constitution *Apostolicae Sedis*?

First of all, the chaplain's conduct in not giving admission to his lawfully appointed successor was plainly censurable. If he merely lent the money, it was unfortunate he failed to make the nature of his intention clear to different members of the community, since there was no thought, it appears, of having recourse to a duly worded receipt. But even were he fortified with proper written acknowledgments, he could by no means lawfully retain possession of the house against the prohibition of his Ordinary. The house was not his; it was built for the chaplain's use, and when he ceased to be chaplain, he retained, no doubt, a right to receive back his money, if lent as alleged, but no right to hold the building. Accordingly he took the wrong method of redress, and left himself liable to heavy censures from his Bishop. But did he incur those inflicted *ipso facto* by the Council of Trent or the Bulla *Apostolicae Sedis*, and reserved to the Pope?

The very comprehensive censure, imposed by the Council to prevent unjust interference with property destined for religious or pious purposes, of course still remains in force. By its terms, and the past application of them, the question before us must be decided. True, the Bulla *Apostolicae Sedis* contains a much less general censure (XI.) specially reserved to the Pope and drawn from the Tridentine legislation; but a brief examination of it will suffice to show that the chaplain is not one of those whom it was designed to reach. On the other hand it is difficult to see how he can escape the sweeping enactment, "*Si quem clericorum, &c.*" *Con. Trid. Sess. xxii. c. 11, de Reform.* Still, looking to the ground on which the chaplain retained possession, and prescinding altogether from ignorance of the law, I do not think it morally certain that he became liable to these

penalties. No doubt the wording seems to cover his case. But D'Annibali holds, and quotes authority for holding, that the first sentence of the decree restricts its provisions to "*occupationes auctoritativas et potentiales*." Now, it might be contended, that the chaplain's occupation was scarcely of this character. The same eminent commentator on the Bulla Apostolicae Sedis adds, in a note, page 56: "*Quid quod usus hujus decreti in curia Romana nimium rarus est? Quin haec damnat—inferiorum facilem abusum dum etiam contra privatos debitores . . . ad has poenas procedunt; sive contra eos qui ex privatis juribus ac praetensionibus aliqua possideant bona, quae ad Ecclesias, vel pia loca spectare pretendatur.*" Now, such language, although it may not cover the precise point, seems to leave some doubt as to whether the chaplain came within the censures specified. At the same time if he were declared by the Ordinary to have incurred the penalties, he should not think of disregarding the sentence. In such an event he must either procure absolution or appeal. But in every case he should be prepared to yield possession to his lawfully appointed successor.

P. O'D.

DOCUMENTS.

SUMMARY.

The following is the full Text of the Rescript appointing St. Vincent de Paul patron of all Associations of Charity in the Catholic World.

ORBIS.

Ad christianae caritatis opera, quae a sancto Vincentio a Paulo suam agnoscunt originem, impensiori studio provehenda, honor-
emque tanti patris ac magistri adaugendum, duobus abhinc annis, postulantibus tum sodalibus Vincentianae Societatis vulgo *Confer-
entiae*; occasione expleti quinquagesimi anni a sua Parisiis
institutione, tum Reverendissimis Dioecesium Antistibus, Sanctus
Vincentius Societatum omnium caritatis in Galliae regione vigen-
tium, ab eoque ortum quomodocumque habentium, uti specialis
apud Deum Apostolica Auctoritate declaratus fuit et
constitutus. Hujusmodi Decretum, ad Hiberniae Dioeceses anno
superiore extensum, ut tandem ad cunctas ejusdem naturae

societates et opera totius christiani orbis extenderetur, perplurimi Sanctae Romanae Ecclesiae Patres Cardinales, et ex omnibus fere mundi regionibus Sacrorum Antistites, pluresque Regularium Ordinum supremi Moderatores humillimis Summo Pontifici exhibitis precibus, enixe efflagitarunt. Eas Sanctissimus Dominus Noster Leo Papa XIII. benigne excipiens, Congregationi Eminentissimorum et Reverendissimorum Cardinalium sacris tuendis Ritibus praepositorum remisit, ut sententiam suam hac in re panderet. Sacra autem Congregatio in Ordinariis Comitibus die 23 martii 1885 ad Vaticanum habitis, referente Emo et Rmo Cardinali Carolo Laurenzi, audito etiam R. P. D. Augustino Caprara s. Fidei Promotore, omnibusque maturo examine perpensis, postulationi, a tam ingenti numero eximiorum Praelatorum propositae, responsum dedit: *Consulendum Sanctissimum pro gratia.*

Hisce vero omnibus subinde per Sacrorum Rituum Congregationis Secretarium, Eidem Sanctissimo Domino Nostro fideliter relatis, Sanctitas Sua sententiam sacrae Congregationis in omnibus confirmare et approbare dignata est: ideoque Sanctum Vincentium a Paulo omnium Societatum Caritatis in toto Catholico Orbe existentium, et ab eo quomodocumque promanantium, seu peculiarem apud Deum Patronum declaravit et constituit; cum omnibus honorificentis, caelestibus Patronis competentibus: mandavitque de his Apostolicas litteras in forma a Brevis expediri, die 16 aprilis ejusdem anni 1885.

D. Cardinalis BARTOLINIUS, S. R. C. *Praefectus.*

L ✠ S.

Laurentius SALVATI, S. R. C. *Secretarius.*

THE MISSIONARY OATH IN ENGLAND.

SUMMARY.

1°. In future the Missionary Oath in England taken by candidates for ordination *ad titulum Missionis* is made binding not for a particular diocese, but for the whole ecclesiastical province.

2°. Any priest who has already taken the Oath and changes his diocese, need not refer the matter to the Holy See, provided he remains in the province, acquires a new title, and repeats his Missionary Oath.

DECRETUM.

R. P. D. Episcopus Cliftoniensis suo et coeterorum Angliae Episcoporum nomine ab Apostolica Sede imploravit, ut iuramentum quod ordinati titulo missionis praestant, eos exinde obliget non pro aliqua dioecesi tantum, prout antea consueverit, sed pro tota ecclesiastica provincia, ita ut presbyteri sic ordinati sola collatione novi tituli transferri in aliam dioecesim possint de consensu utriusque Ordinarii, quin necessarium sit ut ipsi novum iuramentum emittant. Insuper expostulavit ut quoad praeteritum,

missionarii ordinati titulo missionis pro aliqua dioecesi intra provinciam, ad aliam dioecesim intra eandem provinciam transferri possint novo titulo, novoque praestito iuramento absque recurso ad Apostolicam Sedem.

Jam vero cum supplices istae preces Sanctissimo Domino Nostro Leoni P.P. XIII. fuerint relatae, in Audientia diei 28 Junii, 1885, Sanctitas Sua iisdem in omnibus annuere dignata est et praesens in re Decretum expediri mandavit.

(S. C. de Propaganda Fide die 18 Augusti, 1885.)

NOTICES OF BOOKS.

The Franciscan Manual and Seraphic Treasury of Prayers and Devotions. By FR. JARLATH PRENDERGAST, O.S.F. Second Edition. Dublin: JAMES DUFFY & SONS.

We have carefully examined this prayer-book and are delighted with it. It is indeed a Treasury of solid, moving and beautiful prayers for every possible requirement of a Christian. That it is esteemed as such by the faithful, is plain from the fact that the first Edition was exhausted in a few months. This second Edition has nearly 1,000 pages, and is yet by no means inconveniently bulky. Having been compiled by a son of St. Francis, and principally for the use of the Franciscan Tertiaries, it is natural that every page should breathe forth the spirit of the great Seraphic Patriarch. But this will surely not render it less useful to the faithful at large. As Cardinal Manning says in his recommendation of the Manual, "whatever promotes the love of the faithful to St. Francis and the imitation of his spirit of poverty and detachment from the world, will draw them nearer to our Divine Master.

We could not possibly in a short notice give an adequate idea of the store of admirable matter contained in the Seraphic Treasury. Besides the ordinary devotions themselves, there are concise yet complete instructions regarding each. There are instructions on the Third Order, Cords, Scapulars, Rosaries, Indulgences, &c. There is a large and good selection of hymns for every occasion. There is in it, in fact, almost every thing that ought to be in a prayer-book. Nor is it difficult to find what may be required; for besides the table of contents, there is an alphabetical general index of a most ample description.

We have discovered one or two blemishes so slight that they are not worth mentioning. Even these we are sure will be removed in the third edition, which we are confident will soon be called for.

P. O'L.

- I. *The Virgin Mother of Good Counsel.* By Monsignor G. F. DILLON, D.D. GILL & SON, Dublin.
- II. *The Virgin Mother of Good Counsel*, with full information about the "Pious Union." By the Author of "The Augustinian Manual." DUFFY & SONS.

The rapid spread of devotion to the Virgin Mother of Good Counsel in this country is largely owing to Monsignor Dillon's admirable book, which we noticed at considerable length in the October number of last year's Record. We are glad to see that a second edition has since then appeared, beautifully printed and much cheaper than the first edition.

The other work on the same subject mentioned above is of a different character from Monsignor Dillon's. It gives in a comparatively small space, yet with satisfactory fulness, the history of the Miraculous Picture and of the Shrine at Genezzano, while the greater part of the book treats of the development of the devotion which is already so widespread among our people. In this respect it is eminently practical, and we heartily commend it to the clients of our Virgin Mother of Good Counsel, as an admirable and much-needed Manual. It is, we believe, the first book to which the new Archbishop of Dublin has given his *Imprimatur*, and Dr. Walsh has written to the compiler thus: "By all means put my *Imprimatur*. I feel that I owe a great deal, especially in these very busy and anxious days, to our Lady of Good Counsel."

The Respective Rights and Duties of Family, State, and Church, in regard to Education. By Rev. J. CONWAY, S.J., Professor in the College of the Sacred Heart, Prairie du Chien, Wis. New York: PUSTET & Co.

Now that the Education Question is likely to become prominent, it behoves clergymen to be well made up on all its bearings. They will find in this little book a very useful explanation of principles. The author is an American, and wrote for an American Review, but principles are the same all over the world.

Tributes of Protestant Writers to the Wealth and Beauty of Catholicity. By JAMES J. TREACY, Ed. of "Catholic Flowers from Protestant Gardens," &c. New York: PUSTET & Co.

Mr. Treacy has collected into his volume many specimens of literature which are of great interest to Catholics. It is not a bad idea to make our very adversaries serve, like Balaam, the cause which they labour to overthrow. Burke, Carlyle, Brougham, Davy, De Quincey, Freeman, Froude, Guizot, Lecky, Macaulay, McCullagh, Ruskin,—these and many others are pressed into the service. Extracts on any subject from such writers could not fail to repay perusal.

THE IRISH ECCLESIASTICAL RECORD.

NOVEMBER, 1885.

ETERNAL PUNISHMENT.

III.—WITNESS OF SCRIPTURE.

THE last paper on this subject dealt with the evidence from tradition; I now purpose to further justify the Church's teaching from the written word of God.

Let me make a remark by way of preface: Catholics need not be over anxious about Bible proofs. It is the very foundation of our system that the Scripture was never intended to be the chief immediate source from which the faithful should draw the living waters of God's holy truth. The Bible is difficult to understand—difficult on most important questions. Our very adversaries must acknowledge this, for though Scripture seems clear and full regarding future punishment, they teach nothing definite about it, contending that nothing definite can be known. Origen was led astray on this very question; so were many of his followers in the early Church, men who would have freely died for the faith. Who will deny that many of those who misunderstand the Scriptures are yet honest in their religious belief? How then can the meaning of the Bible be so very plain?

It is not my intention to examine fully all the Scripture proofs, that would take more time and space than are at my command; besides it would be quite useless, for indeed there is little new to be said on such an old question. And yet if no notice were taken of certain objections which have been recently urged, it would surely be thought that we are no longer able to defend the Catholic truth.

Two points are of faith: (1) that there is such a thing as endless exclusion from heaven; (2) that this punishment shall be inflicted on all who die in mortal sin. Let us take these dogmas in order.

I. There are *some* who shall be for ever shut out from the sight of God.

The devils shall be excluded; this has been the belief of almost all Christians of every age. It was doubted by Origen and by some of his followers; but even in the third century Origenistic sympathy with devils was not widespread, and it very soon disappeared. In our own time few Universalists dare to express a hope for these lost spirits; the question is treated rather as "impractical and to us irrelevant." Eloquent silence indeed, considering how gladly modern liberals would have availed themselves of the *a fortiori* argument in favour of men.

There is but little said in the Bible about the final state of the demons; and this is but natural, seeing that the book is for us and not for them. They are always represented as malignant and hardened in malice, warring with heaven for the souls of men. They sinned and cannot of themselves atone for the crime; they were not redeemed by the God-man; neither is there the least expression of the faintest hope that they may be spared at last. On the contrary, the eternal fire was prepared for them; and in the last dread scene of the world-drama they shall be "cast into the pool of fire and brimstone, where both the beast and the false prophet shall be tormented day and night for ever and ever."¹ "Hell and death" shall be "cast into the same fire; this is the second death;"—such is the end of the demons.

Bearing in mind that there must be some place where the devils shall always dwell shut out from the sight of God, let us go a step further. Are there *any* souls of men to share their eternal exile? No, say the Universalists. "I cannot but fear," writes Dr. Farrar,² "from one or two passages of Scripture, and from the general teaching of the Church, that some souls may be ultimately lost." Which are these texts so strong as to make even Dr. Farrar fear? He does not say; we must make out some for ourselves:—

"Know you not that the wicked *shall not possess the Kingdom of God?*" (1 Cor. vi. 9.)

"Amen, amen, I say unto you, unless a man be born again of water and the Holy Ghost, *he shall not enter the Kingdom of heaven.*" (John iii. 5).

¹ Apoc. xx. 9-15.

² "Mercy and Judgment," p. 178.

“Every sin and blasphemy shall be forgiven men, but the blasphemy of the Spirit *shall not be forgiven*. And whosoever shall speak a word against the Son of Man, it shall be forgiven him; but he that shall speak against the Holy Ghost *it shall not be forgiven him, neither in this world nor in the world to come.*” (Matt. xii. 31; compare Mark iii. 28; Luke xii. 10).

It would be worse than useless to dilute these passages with a comment.

There is just one reply possible. Universalists might say: Yes, the wicked, *as such*, shall not enter heaven, as long as they remain wicked. Catholics admit that they may change *before death*, and why should death put an end to the possibility of reform? So too with regard to baptism, which is not necessary for those who die with the love of God in their hearts; but why should death limit the efficacy of charity?¹

This raises a most important issue: whether or not repentance avails beyond the grave. It is the point on which the whole controversy turns; hence I purpose to examine it somewhat in detail.

1° It cannot be denied that universal propositions such as I have quoted nearly always admit exceptions; but then the exceptions must be positively and clearly stated; mere silence will not suffice. Thus we grant that love may supply for baptism; but we do not ascribe the same efficacy to faith, or to hope, or to attrition, or to many other supernatural acts which are good in themselves and much commended in Holy Writ. The reason is that we are positively assured of the sufficiency of love; whilst, as we are told nothing about the other means, we believe they are excluded by the general law: “Unless a man be born again, he cannot enter the kingdom of heaven.”

If this principle be applied to human laws we shall see how reasonable it is. Take the Act which was recently passed, granting the franchise to all who have certain qualifications, provided they shall not have got poor-relief from the union. A special exception was made in favour of some, namely, of those who may have got medical relief in Ireland. Did this exception entitle all the paupers in England to the franchise? Surely not. But it was hard

¹ So Dean Plumtre in “Spirits in Prison,” Study vi.; Dr. Farrar in “Mercy and Judgment,” chap. vi.

on them, you may say, especially as many of them are so good, work so hard, and have been so unfortunate. That may be so; but the law as it stood did not give them the franchise, and accordingly when it was thought expedient to extend to England the Irish privilege about medical relief, a special bill had to be run through Parliament.

Applying this principle, let us see whether there is any positive testimony to show that repentance after death is another exception to the general law, which requires a second birth from water and the Holy Ghost before one can enter God's Kingdom. I believe the state of the question will be found to be as follows:—

There are many texts in which we are told that true repentance blotteth out sin, but they *may* all be understood of the present life. There is not one which necessarily refers to repentance beyond the grave.

But there are many others which positively exclude reform in the next life; I will quote a few:—

“Remember that death is not slow; do good to thy friend *before thou die*; defraud not thyself of the good day; *before thy death* work justice, *for in hell there is no finding food.* (Eccli. xiv. 12-17.)

“*The dead shall not praise thee, O Lord, nor any of them that go down to hell.*” (Ps. cxiii. 17).

“*For there is no one in death that is mindful of thee, and who shall confess to thee in hell?*” (Ps. vi. 6).

“He that will save his life shall lose it. For what doth it profit a man if he gain the whole world, and suffer the loss of his own soul? Or *what shall a man give in exchange for his soul?*” (Matt. xvi. 25).

“I must work the works of Him that sent me, whilst it is day: *the night cometh when no man can work* (John ix. 4).

“Yet a little while the light is among you. *Walk whilst you have the light that the darkness overtake you not.* And he that walketh in darkness knoweth not whither he goeth. *Whilst you have light believe in the light that you may be children of light.*” (John xii. 35).

“Blasphemy of the Spirit *shall not be forgiven* . . . He that shall speak against the Holy Ghost, it shall not be forgiven him neither in this world *nor in the world to come.*” Matt. xii. 31.)

To these might be added “all these passages, far too numerous to be even indicated here, in which we are bidden to work out our salvation whilst it is yet day, to remember that time is short, to redeem it, to watch, to

pass the time of our earthly sojourn in fear, not to neglect the day of visitation, to hearken while it is called to-day, and the like—all of which point, more or less directly, to this life as the appointed period of probation for eternity . . . And these reiterated exhortations derive additional emphasis from the significant fact, which some Universalists have expressly acknowledged, and all are compelled tacitly to admit, that *no single passage can be cited, either from the Old Testament or the New, which even hints at a continued or second probation after death.*"

So writes Mr. Oxenham,¹ and then he goes on to narrate the story of the rich man in the Gospel, who at first prayed for relief and was refused, then he asked that Lazarus might be sent to warn his relations on earth,—not that he himself might go, but that Lazarus might be sent,—and the second petition was refused likewise. Small hope surely for these who trust to repentance after death.²

Bearing on this point, whether repentance avails to free souls from hell, we have other Scriptural testimony. We have all the evidence which directly proves that the pains of hell are endless; for if the punishment shall never cease, neither repentance nor any thing else can free souls from that dreadful prison. This direct evidence I now proceed to submit:—

2° The pains of hell are often said to be "eternal:" "Go, ye accursed, into eternal fire;" "the smoke of their torments shall rise up for ever and ever." And remark what shall be the consequences of the last judgment: "The wicked shall go into eternal punishment, but the just into eternal life."³

(1) Now consider the circumstances to which that first text refers: "Go ye accursed into eternal fire." It is the last sentence of the Judge; the stars shall have fallen from heaven; sun and moon shall have refused to give their light; the wide firmament shall have been rolled up like a scroll;

¹ "Catholic Eschatology," page 145. He quotes in a note the following sentence from an American writer, Rev. W. B. Hopkins: "I have long searched with anxious solicitude for a text in the Bible which would even *seem* to favour the idea of a future probation. *I cannot find it.*"

² The same author justly remarks that though "there have been some few Catholic writers who, misled by the seeming anxiety of Dives for the salvation of his brethren, have supposed that he might be in Purgatory," yet "the language and the whole tenor of the narrative, and the almost universal interpretation put upon it, negative any such idea."

³ Matt. xxv. 31, &c.

all the children of men shall be assembled by the angel's trumpet. It is the last scene on the world's stage; of all that follows we know nothing except what the judge tells us, and it is,—“æonian life,” “æonian fire.” “Æonian,” that is, lasting for the *æon*. How long shall the *æon* last? How long shall the just continue to live? For ever. During the same endless *æon* shall the wicked be punished.

(2) Moreover, the “æonian fire” which shall punish the wicked is the same which was prepared for the devil and his angels. Is there to be any limit to the duration of the devil's punishment? Neither Dr. Farrar nor Dean Plumptre dares to say so. But the devils and the lost human souls are here united in a common doom.

(3) Let us a little more closely examine that word “eternal” and the kindred phrases, “for eternity,” “for ages and ages.”¹ These terms are applied to the punishment not only of the devils but of wicked men. They may and nearly always do denote what is strictly endless. “In the New Testament the word *αιωνιος* occurs seventy-one times; of eternal life forty-four times; of Almighty God, His Spirit, and His glory, three times; of the Kingdom of Christ, His salvation, of our habitation in heaven, of the glory laid up for us,”² and of many other things, all of which are strictly endless.

Space will not permit me to examine more than the principal objections that are urged against this argument; but I shall conscientiously try not to pass over any point of real importance. Opponents call our proof “the aged and battered argument of Augustine,” an expression the propriety of which a Catholic might question; but why should we dispute about forms of words? Sir Torre's shield was smooth and shining, and his face unscarred; whereas Launcelot was “marred, seamed with an ancient sword-cut on the cheek, and bruised and bronzed.” Launcelot's shield also was like his face, “aged and battered;” yet, who would doubt which was the better shield, or which knight should be the more respected? An argument is not necessarily bad because “aged and battered;” one might even be inclined to shrewdly suspect

¹ *Αἰωνιος* means of the *αιων* (*αιων*) = *ævum* = age. Hence the word *æternum*, shortened into *eternum*. An *æon* is not necessarily endless; it may or may not be so.

² Pusey, “What is of Faith, &c?” p. 38.

that it must have been true metal to withstand the shocks of centuries.

But to come to the point: Dr. Farrar replies to our argument:

(a) That an *æon* is not necessarily endless; and that even in the New Testament *aionios* and kindred terms are sometimes applied to ages which have already come to an end.¹

But surely no one ever yet implied that every *æon* is necessarily endless; and as regards the New Testament use of these terms, Dr. Farrar's assertion may be, and is, disputed. But let it be as he says; let us admit that in *some* texts even of the New Testament the word denotes terminable duration; what then?

Is it not indisputable that the term *may* denote what is strictly endless? Is it not equally certain that in all but a few of the seventy-one texts in which the word occurs, it certainly *does* denote what shall last for ever. But if in a certain book a word *may* have a certain meaning, and if, moreover, it actually has that meaning sixty-six or sixty-eight times out of seventy, surely in the few cases that remain it should be understood in the same sense, unless there be something in the context which necessitates a different interpretation. But if in the context there be nothing of the kind; if, on the contrary, the context be strongly in favour of attaching to the term its usual meaning, surely no sensible man would hesitate to do so. And all this is true of the word *aionios*.

(b) Dr. Farrar objects to this, particularly to our use of the word "mean." He contends that though the word *aionios* "is often applied as an epithet to endless things, that conjunction no more makes the word mean endless than the fact that it is applied to spiritual things makes the word necessarily mean spiritual."² It "may, in some instances *connote* endlessness, because it catches some of its colour from the word to which it is joined."³

Precisely so. We don't want to rely on the word "mean;" "connote" will do equally well. But we insist that the *æon* during which the wicked shall be punished is endless, because the sentence which condemned them is the *last* sentence, because the *æon* of their punishment is the same as that during which the devils shall be tormented,

¹ "Mercy and Judgment," p. 391.

² *Ibid.*, 391.

³ *Ibid.*, 379.

and the saints will enjoy their bliss. Whether *aionios*, "means" or "connotes," all this makes very little difference to Catholics.

(c) In the third place, and as an explanation and confirmation of the preceding, Dr. Farrar relies very much on a reason which was a favourite argument with Mr. Maurice, —that eternity and duration are incompatible. Hence *aionios* cannot mean "endless," but only something like "spiritual" or "unseen." "To render the 'æonian God' by the 'endless God' would rightly seem shocking to us. It means 'the God whom no one hath seen or can see.'" So "eternal life" is not "endless life," but almost the antithesis of endless; it is "knowledge and love;" it is, in the words of St. John, "to know thee, the only God, and Jesus Christ whom thou hast sent." Accordingly, "æonian fire" is not "endless fire," but as Erskine of Linlatham says, "the misery belonging to the nature of sin, and not coming from outward causes."¹

It is easy to see that all this is but a confusion of terms. No one now denies that succession is incompatible with the eternity which is an attribute of God. Catholics did not want Erskine or Maurice to teach them that. But must the term *aionios* always have precisely the same meaning which it has when applied to the Deity? May there not be another eternity, improperly so called because of its endless duration? May we not speak in that sense of the "eternal life" of the blessed? And may we not by another figure of speech apply the same term, "eternal life," to that which here below sows the good seed which will hereafter grow up to life everlasting? Whoever would attach precisely the same meaning to the word "eternal" wherever it is found, would surely neglect one of the first principles of interpretation.

Let me more definitely explain the Catholic answer. (a) In the first place God's eternity has no succession. But (β) we *cannot imagine* it otherwise than as an endless succession though we know this image to be incorrect. (γ) Eternity without succession is infinite and cannot belong to creatures. Since, however, there is a great likeness between the unending life of human souls and the form of everlasting duration under which we imagine God's existence, we use the same term, "eternity," to designate both. There is yet another (δ) sense in

1 So "Mercy and Judgment," pp. 394-404.

which we use the word "eternal," as when St. John says that "eternal life" is "to know God." The knowledge of God causes everlasting bliss, and everyone knows the common figure of speech which transfers to a remarkable effect the name of a cause which produces it in some special manner. Wordsworth writes:—

"Bliss was it in that dawn to be alive,
But to be young was very heaven."

We know well that life is and always was life and not bliss, youth is youth and not heaven; but the rapidity of the poet's thought shortens the expression.

Accordingly we contend that the word "*aionios*" has different significations. When predicated of God it excludes succession; when it applies to creatures it often means lasting for ever. But to argue, as Dr. Farrar and Mr. Maurice do, that because it is used of God it must always and necessarily exclude succession,—this surely is to misunderstand the principles of language and to fetter the powers of human speech.

(*d*) Dr. Farrar thinks he gives the full force of our argument in these words¹: "Because *aionios ζωη* means 'endless life,' therefore *aionios κολασις* must mean 'endless punishment.'"

Now, that is *not* the Catholic reasoning. We rely on three points: (*a*) The *aon* is the *aon* which succeeds the *last sentence*; (*β*) the devils and wicked men get the same punishment, and we know what that means for the devils; (*γ*) in *these circumstances* the same word *aionios* is applied to the future punishment and to the future reward.

As to this third point, it would be a mistake to suppose that even in the same sentence the same word may not have different meanings, if the circumstances and the context require it. But if the circumstances require just the opposite; if, moreover, the meaning which the context demands be the usual and almost invariable meaning of the term; the fact that in the very next and parallel clause of the same sentence the same word gets that very meaning—this fact is then no weak point. And this is the "aged and battered argument of Augustine."

Besides, the wicked shall be punished not for one *aon* but for "*æons* of *æons*." "The smoke of their torment shall rise up for ever and ever." Dr. Clemence contends

¹ "Mercy and Judgment," p. 389.

that "as an *æon* may come to an end, so *æons* of *æons* may come to an end; only that which lasts through all the ages is without end."¹

One is tempted in reply to borrow one of Dr. Farrar's expressions, and to complain of "a literalism which defies all the laws of human language and literature, and approaches to fetish-worship in its slavishness and ignorance." If Dr. Clemence would have us believe that there may be an end to "the smoke which shall rise up for ages of ages," he would do well to quote some example of a similar use of anything like the same terms.

3° So much for the argument from the term *aiônios*. There is another epithet applied to the fire which punishes the wicked,—*ασβεστος*, unquenchable: This will be found to throw additional light on the duration of their *æonian* misery.

In the last verse of his prophecy Isaias cries out: "They shall go out and see the carcasses of the men that have transgressed against me; their worm shall not die, and their fire shall not be quenched."

That text of Isaias is the basis of the New Testament teaching on future punishment. The Baptist warned his hearers that God "will gather his wheat into his barn, but the chaff he will burn with unquenchable fire."² Our Lord himself uses³ almost the very words of the Prophet: "It is better for you to enter into life maimed, than having two hands to go into unquenchable fire, where their worm dieth not and their fire is not extinguished." If these expressions are to be understood in the literal and obvious sense there is an end to the whole controversy.

Dr. Farrar is more than usually vehement in dealing with these texts. He tells us of "the vast weight of moral and spiritual revelations" against us, and complains that his adversaries are "unable to co-ordinate with the rest of God's revelation the literal meaning of a few texts;" "such literalism defies all the ordinary laws of human language and literature, and approaches to fetish-worship in its slavishness and ignorance."⁴ He warns his readers against "the superstitious and arbitrarily invented theory of verbal dictation," which is "the source of countless errors, miseries, and wrongs, and will always be a fatal hindrance to the right reception of divine truths."⁵

¹ Quoted in "Mercy and Judgment," p. 385.

² Matt. iii. 12.

³ Mark ix. 42, 47.

⁴ "Mercy and Judgment," p. 406.

⁵ Ibid. p. 453.

Rather strong, is it not? And all because when God says that the wicked shall be punished with unquenchable fire and that their worm dieth not, we meekly bow down and whisper to ourselves: Amen, their worm never dies and their fire shall not be extinguished.

Now, if Dr. Farrar means that a disputant may always defy the force of arguments by having recourse to "moral and spiritual revelations" and to metaphorical meanings, if he means that it is superstition to believe that God took care of at least the most important of the words in which his revelation is expressed,—if this is his real view there is no use in further discussion. Every article in any of the creeds might easily be disproved on the same conditions.

Catholics do not argue from the mere epithet "unquenchable." We acknowledge that the word *ασβεστος* might be translated "violent" or "intense;"¹ it often has that meaning when applied to fire. But it also *might* have its literal meaning of "unquenchable." The word itself is indefinite; its meaning has to be determined by the circumstances in which it is used.

Even these other expressions which our Lord actually made use of, "their worm dieth not and their fire shall not be extinguished,"—even these propositions, though more definite than *ασβεστος*, *might* have their meaning restricted by the context in which they might be found. Thus in the prophecy of Jeremias God threatens the city of Jerusalem: "I will kindle a fire in the gates thereof, and it shall devour the houses of Jerusalem, and it shall not be quenched."² And there are other like expressions in the Bible.

At the same time it is manifest that in another context these very expressions *might* denote a truly everlasting burning; and as a matter of fact they are daily so used by the great majority of Christians.

¹ *Ασβεστος* is from *a* neg. and *σβεννυvai* to quench. The word is often used by a sort of exaggeration to signify intense heat. "In Homer, where it first occurs, it is applied to the fire which for a few hours rages in the Grecian fleet; to the gleam of Hector's helmet; to glory; to laughter; and—most frequently—to shouting (Il. xvi. 123; i. 599; xi. 50; xvi. 267, &c.) . . . The word is used in the same popular way in plain prose passages of the Fathers. Thus Eusebius says that the two martyrs, Cronion and Julian, were first scourged, and then consumed with unquenchable fire: and again that two others, Epimachus and Alexander, were 'destroyed by unquenchable fire.'" "Mercy and Judgment," p. 406.

² xvii., 27; cf. Is. i., 28; Ezech. xx., 47-48.

The question therefore is, in what context are these clauses found? Is it such as to determine the signification and to leave no doubt that our Lord meant to threaten an endless punishment?

It seems to me that when we speak of "a worm that dieth not" or of "a fire that shall not be quenched," we leave a portion of our idea unexpressed. We mean that, as long as the food of the worm is there, the worm itself shall not die; that, as long as the object to be consumed continues to exist, fire shall not be wanting to consume it. We mean that there is no chance of escape from the worm and the fire, until both shall have done their work and the unhappy victim shall have ceased to be. So with the carcasses outside the gates of Jerusalem; so with the city itself; they were to be given up to the unceasing gnawing, to the never-ending burning,—never-ending, that is, as long as the carcasses could be eaten or the city consumed by fire. But surely the Prophet never meant that the worm and the fire should continue for ever, even after the carcasses and the city had ceased to be.

Whenever then we are told of "a worm that never dies and a fire that shall never be quenched," how shall we estimate their duration? By the duration of the wicked object which they were meant to punish. There must be no escape, no cessation of the torment. If the carcasses outside the holy city were, like the bones of the Prophet's vision, to be built up again into pure and healthy bodies; if the city were to emerge from the conflagration more beautiful and perfect than before; then should the undying worm have already died, then should the unquenchable fire have been already extinguished. And are not the souls of the wicked to last for ever? Accordingly for ever shall be the duration of their punishment.

4°. We have further testimony of which the whole Bible is full; for it commonly represents the punishment of the wicked as "death," "perishing," "destruction." "They who do such things deserve death;"¹ "he who loves not abideth in death;"² "none of them perished but the son of perdition;"³ "broad is the way that leads to destruction."⁴ But what need of multiplying texts?

Adversaries are fond of referring to the "willing

¹ Rom. i., 32. ² i. John iii., 14. ³ John xvii., 12. ⁴ Matt. vii., 13

agony" of Gerontius in Cardinal Newman's poem; but can any one imagine a soul so softly and gently enfolded in the loving arms of angels, so tended and nursed and loved by them as Gerontius was,—can any one imagine such a soul to be "lost," "destroyed," "perishing?" There can be no death or destruction of one who is being merely purified and fitted for everlasting happiness.

Dr. Farrar replies: No Christian doubts that sin is destruction as long as it is persisted in. The road leads to destruction, and that is the goal to which it leads all who do not turn from it by repentance. But there is nothing in the text to show that men may not be turned from that path hereafter as they are turned here. The same word *apoleia* is used of the "waste" of the spikenard of Mary of Bethany. Let us take another passage where the far stronger word *olethros* occurs. St. Paul in the First Epistle to the Corinthians says that he had handed over to Satan the incestuous offender, "for the *destruction* of the flesh, that the spirit may be saved in the day of the Lord Jesus." Yet, in the short interval which elapsed between the First and Second Epistles, the offender had repented, and was restored to the communion of the Church. Is it not then clear that the word "destruction" has a limited and temporary sense? and that the effects of it can be removed by repentance?¹

But surely (1) sin is not the "destruction" of which the Saviour speaks, but only the "broad way" to it. And as for there being nothing in St. Matthew to show that men may not be turned away from the path of sin hereafter as they are turned here, even though such evidence were admitted to be necessary, it is supplied very plainly in the parallel passage of St. Luke:² "Strive to enter by the narrow gate; for many, I say to you, shall seek to enter and they shall not be able."

(2) "Waste" is a pretty translation of *ἀπόλεια*, but it is altogether too weak. *Apoleia* is too thorough and rough a word. Wherever it is used in the Scriptures the object to which it is applied is utterly ruined. Nor is the "waste" of Mary's ointment an exception; for how could there be "waste" if the ointment were not destroyed, rendered of no further use?

(3) So too *ῥαθυμία* is not mere chastisement or purgation; it is ruin. Whatever it is, it was not to fall on the

¹ "Mercy and Judgment," p. 405. ² xiii., 24.

incestuous Corinthian—on the whole man,—but only on his “flesh.” What is meant by his flesh? If it means his sinful state, surely that was destroyed before he was restored to communion with the faithful. If it means his body, then destruction of the flesh meant death. But, it will be argued, the Corinthian did not die? True; and that proves only that he did not actually suffer the threatened destruction, which is not the question at all; it does not prove that *olethros* is not complete destruction, which is the real question at issue.

Remark this carefully: the real question at issue is what is meant by “death,” “destruction,” and such terms? It has been shown that even in the texts quoted against us, they mean a great deal more than “waste” or “purgatorial punishment.” Will they ever be inflicted on any wicked souls? It seems to me that an all-earnest and all-truthful God would not have threatened them so often, and threatened them as actually happening, if his threat was never to be put into execution. And this is the very thesis we have been defending all along.

If it be urged that through the whole Bible sin is called “death,” and sinners are spoken of as “dead,” we answer: Yes, they are so called by a figure of speech. “Bliss was it in that dawn to be alive.” Now life was not bliss, but only its sure cause. So in the Bible grace is spoken of as “eternal life,” and sin as “death,” not because they are so really, but inasmuch as of themselves they lead to heaven and to hell. But if there were no real “life everlasting,” if there were no real “death” and “destruction,” then we should say that this language of Scripture did not express the truths which it was intended to convey.

4°. We might give further evidence still. The expression of Abraham might be quoted: “Between us and you there is a great gulf fixed, so that they who would pass from hence to you, cannot, nor from thence, come hither.”¹ St. Paul applies to sinners the expression, “Esau I have hated;” and the Apostle goes on: “God hath endured with much patience the vessels of wrath fashioned for destruction.”² The Baptist cries out: “He that believeth not the Son shall not see life, but the wrath of God abideth on him.”³ Of Judas it is said that “it were well for that man if he had never been born;”⁴ so too, it were better for

¹ L. xvi. 26.² Rom. ix.³ John iii. 36.⁴ Matt. xxvi. 24.

those who scandalize little children "that a mill-stone were tied about their necks, and that they were drowned in the depth of the sea."¹

Why should it be better for them? Is it because it is always better to die than to commit even the least sin? But then why is the expression applied only to these two most grievous offences, one of them the most heinous that could be committed? Our Lord, however, gave another reason: "Woe to that man [after his sin] through whom the Son of Man has been betrayed; it were [then] well for that man if he had not been born." And in the other case the Saviour explains: "See that you despise not one of those little ones, for I say to you that their angels always see the face of my Father [and they will demand punishment if you should have done injury to their charge.]" Moreover, it is in this very discourse on scandal that he uses the expression: "Better were it for one to enter life blind, lame, wanting an arm, than to be cast with one's whole body into eternal fire."

These and other texts might be quoted and expanded, but we must forbear; not, however, without a protest against those who say that we argue from "isolated texts." Have we done so? Let the reader judge.

II. So far for the first point of Catholic faith,—that some of the wicked shall be for ever shut out from heaven. We now come to the second dogma,—that this shall be the fate of *all who die in mortal sin*.

It will be remarked that on this, as on so many other questions, the Catholic Church takes a middle course. On the one extreme are the Calvinists, asserting that the least unrepentant sin merits eternal torment; on the other extreme are the Universalists; we steer between. What reason have we for our course? Why do we draw the line precisely at unrepented mortal sin?

Readers will remember what was remarked in a former paper on the witness of tradition. It seems quite clear that this dogma was not always so settled as it now is; that from Origen's days to St. Augustine's, there were many holy men who did not very well know where the line should be drawn. Nor must we be surprised at this, for even still the boundary is very uncertain. True, we know that unrepented mortal sin deserves hell; but which

¹ Matt. xviii. 6.

sins are mortal, and which venial? This question even now raises very many disputes.

The simple fact is, that there was no explicit revelation on the matter. The Scriptures never explicitly mention either mortal or venial sin; neither were the terms known to tradition until the age of the Schoolmen. The Bible teaches plainly enough that some souls shall be sent to hell; often too it tells plainly enough some of those who shall suffer that dreadful fate; but it nowhere gives a complete catalogue of mortal sins. Nowhere even do we find it said that mortal sin deserves hell. The inspired writers were content to lay down principles, and it is the business of the Church to develop these principles under the guidance of the Holy Ghost.

What are the principles from which the dogma that we are now discussing has been drawn? I will try to mention some, without proof, for to prove them belongs to other parts of Theology.

1°. In the first place, then, the Scriptures teach very definitely what is necessary for eternal life. We require grace; and not a mere transitory aid, but something permanent, abiding as a habit in the soul. "The love of God is diffused through our hearts by the Holy Ghost who is given to us."¹

2°. Secondly, opposed to grace is sin; opposed to habitual grace is the habit of mortal sin, which is nothing more than the voluntary privation of the permanent habit of grace. If, therefore, sanctifying grace be necessary for entrance into heaven, the state of mortal sin shuts one out from the sight of God.

3°. Thirdly, remark the words: "the state of *mortal sin*." For the Church, following the teaching of Scripture, has always recognised two kinds of offences against God,—a greater one, which deprives the soul of God's grace and friendship; and a lesser offence, which does not so deprive. This lesser offence is called venial sin. Since, therefore, venial sin does not deprive the soul of grace, and grace is the passport to heaven, it follows that they who die in venial sin shall not be always shut out from the sight of God. They can, however, enter heaven only after they have been purified in purgatory.

4°. Fourthly, purgatory avails not to purify from mortal sin; for mortal sin can only be washed out by the infusion

¹ Rom. v. 5.

of sanctifying grace, and purgatory supposes this grace already in the soul. Nor has the Church ever admitted any second probation after death.

5°. Fifthly, since the line must be drawn at mortal sin, the question suggests itself: how are we to determine which sins are mortal and which venial? Neither Scripture nor tradition has decided in every case. It is the business of theologians to discuss the question in all its bearings; and we may feel sure that if at any time it should be necessary in a particular case to decide whether certain actions are sinful and to what extent, the Church authorities will not hesitate to do so.

6°. Finally, though this question has not been fully settled by either Scripture or tradition, we are not left without certain principles to guide us in the investigation. I shall mention some:—

(1) Reason tells us that certain trivial faults do not sever friendships, that some sins are greater than others, that owing to the corruption of our nature some actions are very much opposed to the attainment of our end.

(2) There are terms often applied in the Bible to certain actions, there are certain punishments threatened, all of which leave little doubt as to the gravity of the offence. St. Paul's text is an example:¹ "Know you not that the unjust shall not possess the kingdom of God. Do not err; neither fornicators, nor idolators, nor adulterers, nor the effeminate, nor liars with mankind, nor thieves, nor the covetous, nor drunkards, nor railers, nor extortioners, shall possess the kingdom of God."

(3) Still there are innumerable other actions about which there may be doubt. The teachers of the Church sometimes decide, as they have a right to do, which opinion a Catholic should in all cases follow. Most frequently the question is left undecided; and then each moralist has to make up his own mind, according as the reasons for and against shall seem good to himself, but always with a due respect for the learned and holy men who have already treated the question.

I do not intend to prove these principles; I merely state them; if they be adopted, as all Catholics do adopt them, it follows that the boundary-line between hell and heaven must be drawn at the state of unrepented mortal sin.

W. McDONALD.

¹ Cor. vi. 9-10.

ON THE TELEPHONE IN RELATION TO THE SACRAMENT OF PENANCE—A REPLY.

IN resuming the discussion with Father Livius, my first duty is to thank him for the consideration, which, I fear under some misapprehension of the claims of my scientific knowledge which is in reality nothing more than what is generally known as a gentleman's, he has been good enough to extend to my argument; and to assure him and Professor Ryan, to whom, although I have not the honour of his acquaintance, I am similarly indebted, that if I fail either in courtesy of language, or otherwise in the course of this discussion, it will be rather from the eagerness of a weak disputant, than from a want of sincere deference towards my opponents, and a desire to reciprocate their kindness to myself.

I begin by observing that some admissions which Father Livius has made with real candour in his articles on "the Telephone in relation to the Sacrament of Penance" are worth noting for the purpose of fixing precisely the present position of the point in dispute.

I found a controversy going on between him and Sacerdos Dublinensis in which it was assumed that science had given or might give a verdict to the effect that the human voice was heard through the Telephone; and I interposed with a challenge of the fact that such a verdict had been given, and I was led further to maintain that it could not be given.

Father Livius admits now that my argument "seemed to himself quite conclusive against his opinion," that "two scientific men whom he consulted pronounced on the question in substantially the same terms," and that a third, Dr. O'Reilly, who he maintains is now on his side, was at first opposed to it.

He further admits that his study of scientific text-books corroborated these testimonies in my favour "for he had but to look through some of the most modern scientific treatises and encyclopædias to render his belief doubly sure," and finally Professor Ryan, whose authority he puts forward, as of great weight, advised him that it was necessary for the maintenance of his view to abandon "technical science and go by philosophy." "If you go by technical science, the opponents will tell you

from the text-books that there is a physical difference between a sound wave and an electrical current—they will speak very positively and there will be an end to the matter.”

I think that all these admissions make it abundantly evident that Father Livius’s opinion is not a *verdict* of science, and is very far even on his own showing, both by reason and authority, from being more than probable.

But his whole argument against *Sacerdos Dublinensis* required a certainty for its basis. It rested on the assumed fact that the human voice was heard for certain through the telephone. What becomes of that argument when his supposed certainty is replaced by a probability? His contention was that “if science gave it as its verdict that through the telephone, as is claimed for it, there is immediate sensible perception of another personally, *i.e.* if it may be truly said that the human voice is heard through that medium, I still incline to believe that the last word has not yet been spoken on the telephone in relation to the Sacrament of Penance.”

“The last word” I suppose he means spoken by THEOLOGY. Now the ground is shifted, and he set forth in the RECORD of last July the considerations which led him to think that SCIENCE had not spoken her last word on the same subject. Instead then of a scientific verdict his major proposition becomes at most a scientific probability, what becomes then of his conclusion which at best he maintained as *tenuiter probabilis*. The Syllogism would run thus.

If science gives as its verdict, &c, then it is at least *tenuiter probabilis* that there is a sufficient moral presence for the Sacrament of Penance.

Atqui science does give such a verdict, *Ergo*.

If you substitute in the minor for “a verdict” a probable opinion I should like to know whether you have as much of the *tenuis probabilitas* of your conclusion remaining as is of use for any practical purpose.

But my business is with that minor proposition exclusively. My first difficulty in dealing with it, however, arises from the inconvenience of having to meet simultaneously two opponents whose attacks came from opposite sides, and are rather inconsistent with one another.

For in June Father Livius, as I have shown by his admissions, found it impossible to defend his position with the weapons supplied by the science of Sound and Acoustics

and Professor Ryan agreed as to the necessity of appealing to philosophy. "Rebellious thoughts arose within him (Father Livius) against the laws and principles of science in the matter of acoustics as being altogether too technical, cramped and narrow to cover the reality of recognised facts," and accordingly he discussed the question most ably and interestingly on what he calls "Philosophical grounds."

Then in the month of July he resumed the discussion in what I cannot help regarding as a manner inconsistent with his previous argument and certainly embarrassing to me.

Having rebelled against the restrictions of science, and risen to philosophy both from his own convictions and Professor Ryan's advice he finds after all that philosophy will not do, that keeping to it would expose him to the charge of "arbitrarily theorizing," that "science must be met by science," for that to whatever extent an opinion was philosophically true, it must also be true scientifically," and concludes, "If therefore I wrote again on the question in the RECORD, the opinion I advocated must somehow be set on a scientific basis and the objections and difficulties supported by Father O'Dwyer's article must be scientifically encountered."

And Professor Ryan undertakes this technical and scientific defence of the position.

I have then a double argument to maintain. One against Father Livius supported as he is by Lord Rayleigh and other high authorities in the view that the principles and definitions of the science of Sound and Acoustics need to be enlarged so as to include the phenomena of the telephone. The other against Father Livius and Professor Ryan who undertake to show that these phenomena are quite analogous to the well ascertained facts in the science of sound, and as Professor Ryan sums up his article:—

"In all cases of communication by speech the hearer is merely cognizant of certain intelligible mechanical disturbances due to energy transmitted to him from the speaker. It is popularly known as hearing the speaker's voice, and the expression is as scientifically accurate in the case of the telephone as in the ordinary case neither more nor less."

To bring out the point at issue clearly, I may very briefly re-state it.

The Telephone consists of three parts. 1° A transmitting instrument through which a person speaks. 2° A receiving instrument which by vibrating emits an articulate sound very like the voice of the speaker, and 3° *an ordinary electric wire connecting both*, along which passes an electric current. And as far I understand the controversy the sole point in dispute is whether the force or energy or whatever else it is that is called the human voice ceases to be a sound by passing into the inaudible electrical stage in the wire, and whether the sound heard in the receiving instrument can be said to be the sound spoken into the transmitting instrument. Father Livius holds that it is the same voice all through. I hold that it is not. I hold that the transition into an electrical current is fatal to its existence—its continued existence as sound, and consequently that in the receiving instrument is heard not the voice of the speaker, but a well made mechanical imitation of it.

I will try then and meet in turn the two answers which Fr. Livius gives to my criticism; but in the reverse order to that in which they have been published.

I will first attempt to prove that Professor Ryan has failed to establish any analogy between the phenomena of the telephone and the accepted phenomena of Sound and Acoustics that justify their being put in the same category; and secondly, I will try to meet, both by reason and authority, Fr. Livius' view, which rather takes the form of a suggestion to enlarge our definitions of Sound and Acoustics, &c., so as to give a place within the same science to the phenomena of the telephone.

In such a discussion accuracy of definition, or at least description is necessary, if we are to avoid perpetual "ignorantia elenchi." Accordingly, in my former essay, I defined what I meant by "hearing the human voice." Professor Ryan objects to that definition, and holds that the expression, "hearing the human voice, though popular and quite admissible, is yet unscientific. Usually its meaning is obvious, but it is not easy to give an exact scientific definition of it which may decide doubtful cases."

"Now, as the expression is distinctly a popular one, and certainly unscientific, the question should be decided in accordance with popular ideas."

I shall have something to say about the value of popular ideas later on. For the present I prefer to discuss

the matter with whatever accuracy and precision may be had from the little scientific knowledge within my reach, as I believe that the evidence which such knowledge can allege is sufficiently strong and satisfactory to put "common sense," which in this case is common ignorance, out of court.

In the first place I must express my dissent from his opinion that it is not scientifically accurate to say that we do hear the human voice. There is a philosophy which holds that the testimony of our senses is unreliable as to their objects, and which thereby attempts to divorce science from the common sense of life. If there is inaccuracy in the expression, "hearing the voice," it is equally inaccurate to speak of "seeing a face," "touching a hand," and the conclusion must be at least the modified idealism of Herbert Spencer, that although the relation of my senses as to external objects may be practically useful for ordinary purposes, I must always put in a mental caveat against believing a real correspondence between the sensation in consciousness and the *plexus* of phenomena which gave rise to them. If Professor Ryan comes to that, I decline to argue further with him. I maintain that our senses do give us accurate knowledge, and that they do report to us accurately as to their objects, and the business of a true philosophy is to accept this fundamental fact and explain it, and not to attempt to impugn its certainty, and thus weaken the foundations of all knowledge.

I think then that we are safe in starting with the assumption that the expression, "hearing the human voice," represents a real objective phenomenon, and if we are to determine whether that phenomenon can be truly predicated in the case of the telephone, we must know what we mean by it as it is ordinarily used.

My description of it is as follows, but it must be borne in mind that I give it in the phraseology of the accepted theory of the vibratory character of sound in relation to which this discussion, in its present stage, must be conducted.

When I say then that I hear the human voice, I mean that a person's vocal organs have moved and given a vibratory motion, which is recognised as sound, to the air particles in immediate contact with them. These being elastic, yield to the pulse which they have received, and recoil, and thus send on the pulse to the next layer or shell of air,

until at last a series of vibrations, constituting a sound-wave reaches the membrane of the drum of my ear, which takes up the same vibratory motion, and in some mysterious way passes the sound on to the brain.

Now, in this series of phenomena, constituting what is known as sound, I have to direct attention to a few especial points that seem to me to go to the kernel of this discussion :

1° The energy which is in play is not energy in general, but the special form of it known as sound. 2° That sonorous pulse, or sound energy, passes along the various lines of air particles, by their elasticity, preserving all through its course the same sonorous character until it impinges on the ear. 3° It is the same energy that at first is developed by the sounding body, and at the end affects the membrane of the ear ; and finally, I have to add that this description is taken almost word for word from Professor Tyndall's lectures on sound, and is, I think, not only popular and sufficient, but, making due allowance for my poverty of expression, and scientific exposition, scientifically correct according to the received vibratory theory.

I will collate these points with the views of Professor Ryan, not precisely in the order I have given, but as they are suggested by the sequence of his argument, thus to refute him, or at least, to bring out distinctly the substance of our difference.

I will take first, then, his disquisition on identity and similarity of sound, in which he puts forward what seems to me these propositions : 1° That in strictness, identity cannot, in the vibratory theory, be predicated of a sound ; and 2° that in the loose and popular language which may be admissible that perfect similarity is sufficient to constitute identity. Lest through misapprehension I may wrong him, I quote his words :

“ For my part, I consider the word identical inapplicable in both cases ; but as sound is vibration, if identity can be predicated of two sounds, it should depend on the identity of the period and amplitude of vibration, and on the equality of the masses of the vibrating particles—in fact, on mechanical and material similarity.”

“ Therefore, the sound-waves proceeding from the telephone being mechanically similar to those falling upon it, are as much and as little entitled to be regarded as identical with the latter as if they had been produced in the ordinary way, neither more nor less.”

On the other side I argued, and still maintain, that no "mere mechanical and material similarity" between the sound communicated to the transmitting instrument of a telephone and that given out by the receiver was of use to prove their identity, unless the latter were shown to be the continuation of the sonorous wave that constituted the existence of the former.

On Professor Ryan's theory a good mimic, a well trained parrot, or any other contrivance that could produce a sound perfectly similar to that of the sound imitated, would be as much and as little entitled to be called identical with it, as a man's own voice heard by different people at the same time or in succession at different distances. It is a strange philosophy that leads to such a conclusion.

To my mind the distinction between identity and similarity is neither "arbitrary" nor "unreal," but most obvious. If I strike a tuning fork, its particles give a pulse, a sound-pulse—to the air particles in contact with it—and as long as that sound-pulse passes in unbroken succession from layer to layer of air particles, there is a sound—one sound—identical all through. It is identical with the vibrations of the air particles, that is with the sonorous wave passing in the form of vibrations through these particles of air.

If I strike the same tuning fork in perfectly similar circumstances, and in the same way to-morrow, I will get what I call an exactly similar sound, in amplitude and period of vibrations, &c., but not the same physical thing that constituted the sound of the day before. The two sounds are identical in value, but not in being—just as two sovereigns of the same weight and material are the same in value, but not in physical existence. I think this is plain, and I really do not know why the point has been raised. The exact resemblance which is alleged to exist, but which, as a matter of fact, does not exist between the sounds at both ends of a telephone proves nothing, and I think I am not only right, but evidently so when I contend that those who assert that they are both the sound of the same voice are under the necessity of establishing some more intimate connection between them.

Professor Ryan, at the expense of consistency, supplies that connection and proceeds:—

"The preservation of individuality in what is called a sound-wave or a series of waves does not warrant us in describing

succeeding vibrations as identical with proceeding. There is no exact conservation of motion, or vibration, or sound. Energy is the only thing which persists and is conserved through all transformations, and for which identity can be claimed at the end of its passage."

Again he writes p. 243 :—

"To sum up : My contention is that in all cases of communication by speech the hearer is merely cognizant of certain intelligible mechanical disturbances due to energy transmitted to him from the speaker."

Again, same page.

"It (the telephone) certainly conveys sound-waves to the listener not to be distinguished from those received in the ordinary way, and there is no break in the transmission of energy."

The suggestion in all these passages is, that the conservation of "energy" in the telephone is enough to give identity, as far as it is practicable, to the sounds at either end, without having regard to the forms which that energy may assume in the intermediate stage.

But, observe in the description which I have given of the phenomena of speech and hearing, as they ordinarily occur, that the listener is cognizant of more than energy in general passing from the speaker. "Energy in general!" Why, in the words of the old professor commenting on the sign-board, "Smith in general," there is no such thing.

Energy exists, or at least is known to us only in the concrete, and when I hear a voice I am cognizant not merely of energy but of energy differentiated as sound. I may not know what sound is in itself, no more than I know what heat and light and electricity are. But, I know that heat, as such, is not light, nor electricity either, although there may be, and most probably is, some mysterious correlation between all forces, or forms of energy. So, sound is not light, no more than seeing is hearing, and, consequently, when I affirm that I hear a man's voice, I mean that energy, under the special form of sound—articulate sound—has passed from his vocal organs to my ear.

That same description answers all Professor Ryan has written about "String Telephones," "A man shut up in an air-tight box," and all other illustrations, in which he attempts to find analogies for the telephone. In all such

cases, and, in fact, in every known case in which sound travels, it is sonorous in every stage of its course from sounding body to listener. The energy that is called into play is distinguishable as sound, and it preserves that sonorous character all through. There is no instance that I know of a sound in transit ceasing to be sonorous. Why, it seems a contradiction in terms. You might as well talk of an incorporeal body, or an invisible colour, as an inaudible sound. However it passes, whatever the medium, it is always recognisable as sonorous. Intercept it at any stage of its course, and it is audible. Bring your ear to any point along a string telephone, and you get the true sonorous vibration; so, also, with a beam of timber. Cut it and you hear the sound as it travels along; and the same holds good, as far as I know, for every instance of an ascertained phenomenon of sound. A speaking tube merely directs the sound waves. A partition between two rooms receives the sound wave as sonorous, preserves and transmits it as such; but, compare with all these instances in which Professor Ryan thinks he finds analogies for the telephone that instrument itself. Tap the wire of the telephone and you will get an electrical current, which, according to its quantity and intensity, will produce the same effect as any ordinary electrical current. In the whole science of sound and acoustics there is nothing bearing the faintest resemblance to such a phenomenon, and if the question is to be discussed fruitfully it must be with a recognition of this fact. There is no sound that can be detected between the extremes of the telephone; and this fact of itself is sufficient, in my opinion, to destroy the whole reasoning in Professor Ryan's essay.

He felt the force of this difficulty, and attempts to remove it by what appears to me a very weak and unscientific expedient:

"If we imagine these particles to be merely like tennis-balls we must admit that the transformation of mechanical energy into electrical energy in the telephone wire constitutes apparently an important difference in the method of propagation. It should be remembered, however, that the transmission along the wire is practically instantaneous. The time occupied is much too short to be perceptible on ordinary lines. . . . The inappreciable interval of time during which the energy of the original sound-wave is being transmitted along the wire hardly forms a solution of continuity. The energy is active all the while."

“*Practically instantaneous*,” the “*unappreciable interval*” “*hardly* forms a solution of continuity,” are not very scientific terms. Either the change into electrical energy takes place, or it does not. If it does not, then my argument collapses. But if it does, a moment, any space of time sufficient for the actual existence of such change, is fatal to the continuity of the sound. The length of time during which the sound-energy ceases, and the electrical energy lasts depends not on the principle of the telephone, but on the length of the wire. The electrical current in its passage substitutes for the rate at which sound usually passes through such a wire, the velocity of light, and if the wire were long enough and the appliance sufficiently perfect it would work from the earth to one of the fixed stars, just as well as at the distance of a mile, and would take thousands of years to reach its destination. In such a case Professor Ryan would admit, I presume, the break in continuity of the sound-energy; but, if he would, he must give up the whole of this point, for the argument does not turn on the length, but the reality of the interval, during which the energy of sound has ceased to exist, and is replaced by that of electricity.

But when I say, ordinarily, that I hear a person's voice there is no such phenomenon—long or short. The sound-energy passes in unbroken waves through shell to shell of air until it reaches my ear. It may lose on the way, spend itself, and grow weaker as all forms of energy do in overcoming resistance, but it is identically the same sound-energy without any change of nature that gives the pulse to the air particles next the vocal organs of the speaker and that drives the last layer of them in vibrating on the membrane of my ear.

The Professor adds a paragraph, which I find very difficult to understand, in order to show that a transformation of energy is continually taking place even in the transmission of sound through the air. As well as I can make it out, the theory is that in each vibration of an air-particle the sound-energy is alternately “actual” and “potential.” When a particle is compressed the energy is potential, when it rebounds the energy is actual; and the argument seems to amount to this, as the sound-energy in its ordinary transmission changes at every moment from one to another of two stages of its own existence that constitute a vibration, so it is reasonable to admit that it may undergo, consistently with its existence as sound, a change in which

it ceases to exist altogether, either actually or potentially, and passes into a totally different form of energy, known as electricity.

The statement of this argument in these plain words makes it seem to me so obviously absurd, that I am disposed to think that the fineness or depth of the Professor's reasoning has gone beyond my perception.

It might as well be argued that a pendulum may keep moving while it is at rest, because rest is of the essence of its peculiar motion, since at the end of every beat there is a point at which it moves in neither one direction nor the other. In both cases it is only necessary to use clear language to expose the fallacy.

There are a number of other points of minor importance in Professor Ryan's paper which I should wish to discuss, as, for instance, his view that the telephone, besides being an elongation of the power of speech on one hand is, at the same time, an extension of the faculty of hearing on the other—an elongated tongue and an extended ear, but they do not affect the substance of the controversy. As I have already stated I will deal with the argument from common sense, in connection with Fr. Livius' theory that the limits of acoustic science are too narrow for the facts. At present I will only say that if my argument as given is substantially valid, I have disposed not only of Professor Ryan's theories, but also of the scientific basis without which Fr. Livius himself admits that his philosophy is mere "arbitrary theorizing."

EDWARD T. O'DWYER.

FRAGMENTS OF A BROKEN TOUR.—No. 1.

THE Kensington Exhibition, whatever it may be, seems now to have become so recognized a feature of the London season, that the tourist, wherever his destination, must as surely visit it, and so bring it into his notes, as he must make his starting point the great metropolis itself. Of course he may avoid London, if he is eccentric enough, and equally of course, he may go there without visiting South Kensington, but such an one is so perverse and self-opinionated, that he naturally becomes nothing better than an exception, and so, unwittingly, proves the rule.

We, however, are common-place enough to follow the multitude, and so find ourselves once more in the well-known courts and galleries and ere long on to the Grand terrace where the lovers of music are wont to congregate. This is the year of Inventions and so the good people of London call the exhibition the *Inventories*, just as last year it was the *Healtheries*. But as then Education was combined with Health, the pill wrapt up in the enticing sweet, so now Inventions are made unfatiguing to the visitor by the charms of Music, but music in a new form which supplements the brilliant bands on the terrace and in the Albert Hall. For now it is music both in its archaic form and in a kind of educational shape which makes it a part of the Exhibition and not a mere bait to catch pleasure seekers. There is a wonderful collection of musical instruments, interesting either for their makers or for those to whom they have belonged. There are Stradivarius violins by the dozen and those of other only less renowned masters by the score. There is Queen Elizabeth's Virginal, the harpsichord of Marie Antoinette, the guitar of Louis Seize, and another, once belonging to that luckless artist, David Rizzio, and, as though in natural connection, an old Highland Harp belonging to Mary Queen of Scots. For another reason, and that an artistic one, stands Alma Tadema's pianoforte, decorated by the great painter himself, and adorned with the autographs of celebrated musicians who have played upon this grand instrument by Broadwood.

Strange and quaint are other instruments, and especially that collection which has been sent by the Conservatoire of Music of Brussels, which includes instruments whose very names have long since passed away, such as Crimornes, Regals, Claviorgana, Clavichords and Viol-di-Gambas.

It is interesting even to look at these relics of long passed times, which seem to conjure up the scenes to which they belonged, but how much more interesting was it to listen to them when accomplished musicians awoke the old melodies, and bade them speak to us the music they had discoursed in days of old. This was the crowning gift which Brussels sent us, when her learned and skilled professors came over and gave some concerts of old-world music, and taught us, as surely we never were taught before, what were the capabilities of these instruments, and what music grew out of their use and power. But

home produce came into competition with foreign gifts, and the Bristol Choral Society illustrated in the Albert Hall, how the old Madrigals and Glees which are so truly our own, still hold sway over our singers, and like good wine, grow more estimable and palatable by age. So music had new charms in the Inventories, no longer limiting its powers of attraction to the performances of Military Bands, English, German, or Austrian.

The Inventions which attracted most attention were those which made the illuminations of the gardens, and especially of the fountains, a marvel of beauty.

Last year people were charmed with the wreaths of electric light which festooned the arcade and glittered in bright lines amid the flower beds; nor were the Chinese lanterns amid the trees without their share of admiration. And when the fountains arose from the lake with all the grandeur due to height, or with more winning grace when they palpitated in upward springs and then broke into showers of diamonds in their graceful falls; and when from the central tower electric rays of varying colors flashed across and among them, the changing tints called forth hearty applause at what was as novel as it was beautiful. But this year all this has developed into something still more exquisite, and Sir Francis Bolton exhibits Inventions which make people almost forgetful of the past, and perhaps somewhat ashamed of their excessive admiration of what was so far inferior to that which is done this year. For now the fountains themselves rise up rich in colors which, coming from beneath, seem really to belong to them, and as they intermingle in their sportive life, it is a combination of colored waters which toss themselves on high, and thus effects of color are produced in vivid light which artistic skill could not otherwise effect as it can and does in these media of electricity and water. Nor are these colors fixed; so while we are gazing in delight upon some exquisite combination thus wrought out, the several fountains change their colors and new effects are produced that make the charm as varying as it is beautiful.

Add to this, the substitution of incandescent lights for Chinese lanterns, which in a moment flash high up and amidst the lofty trees, and the same power defining the grand and graceful outlines of all the adjacent buildings, and this employing in all ten thousand electric lights, we may form some slight idea of what the greatest of all modern inventions, electricity, has done to make itself understood at the Inventories of 1885.

Elsewhere, outside the concert rooms, music offered but few attractions. Sullivan and Gilbert were harping upon their one string, ringing what changes they could upon a well-worn musical idea; and repeating themselves until every one—and perhaps they themselves—wearied of the vain repetitions. Italian Opera died out in a few performances where Patti, wearied and ill, was alone in a “scratch” company, and made what seems to be the final closing of both Opera Houses a matter of little regret. There was no German Opera at all, the only attempt to satisfy and attract musical ears was at a minor theatre, where a French company headed by Madlle. Van Zant played in *Lackmé* to almost empty houses. This was indeed a matter of regret, seeing how charmingly the young American played and sang her part, and that too, in an Opera that deserved a better fate.

So little attraction offering itself at home, we naturally turned our steps away, and resolved to go abroad, but with some misgivings as to the time at our disposal. That time terminated abruptly enough, so we have only fragments of a broken tour to set before our readers. We will go to Switzerland; that is our resolve: but how? Not by Paris; for we are tired of that plaster-of-Paris city, of its hot glaring streets and its spasmodic galvanized life. Not by the Rhine: for we are wearied of its stunted, currant-bush vines, its sham mountains which rise only into flat plains, its shrunken waters, its noisy hotels and its hurrying crowds of tourists. But we must pause before we shut up all access to the promised land, and resolve upon Brussels and its Luxembourg railway, which will keep us clear alike of the Rhine and Paris—so to Brussels we go.

Somehow Brussels never seems to tire. There is a quiet, domestic tone about it which satisfies without fatiguing. We feel at our ease; it is like home, which Paris never resembles, and has our sympathies, which the other has not. So we find ourselves refreshed rather than excited, amid people who are not theatrical, and who do not force themselves upon our attention with a persistent effort, seeming to say, “here we are; observe us, are we not the great nation?” In our comfortable *Hotel de Flandre* we are not mere numbers but individuals; we are cared for, in the best sense of the word, they point out unobtrusively what is to be seen just now, and how we may best enjoy what they instinctively understand we want. So it

is almost an effort to tear ourselves away, and to set out on what is to us a new route, by Luxemburg, Metz, and Strassburg, to Lucerne. A railway journey always affords a few matters for reflection and for observation. Our line of march, we soon learn to call it, begins near Waterloo, and passes through Lorraine and Alsace—we should say Elsass-Lothringen—and so takes us from the fall of the First Napoleon to that of the Third and last. But the military spirit is somewhat toned down into a more poetic and fitting frame of mind, as we wind through the intricacies of the Forest of Arden (Ardennes), and think, and indeed almost expect to catch a glimpse of the rural court of the banished duke and the melancholy Jaques. But railways are little in harmony with the scenes Shakespeare painted, though the trees and the river can never lose the characteristics of those sylvan days; and indeed in this case the train glides through the forest and beside the beautiful river as though it were a respectful visitor to the place, without any assertion of that fierce mastery which tunnels its way remorselessly through crowning heights, and draws its hard, straight lines where nature lives in curves. We do not pause at Namur, for we are familiar with the beautiful scenery of the Meuse, which lies between that city and Liège, but we would recommend that pleasant voyage to any leisurely traveller, who will be well repaid for his deviation from the ordinary route. Onward is our march through constantly improving scenery, until we suddenly come upon Luxemburg, which is correctly enough described as being “wedged in between high escarped rocks.” We know no place like Luxemburg, but are told it resembles Jerusalem in its position. The upper town stands high above the lower one, and indeed can only be reached from it on most sides by flights of stairs or streets formed in zigzags. It has one junction only with its surroundings, and so may be called a lofty peninsula; elsewhere it rises precipitously some two hundred feet of rock, which has been worked into fortifications; thus it stood towering above the beautiful passes below, domineering not only over the dwellings at its foot, but over the few approaches which nature and art have made. No wonder it was taken and retaken over and over again; no wonder that Spaniards, Austrians, French and Dutch strove for its possession, and strengthened its fortifications while they held it, until in 1867 its destruction was decreed. It was dismantled, and now, like nature’s work where man has

inflicted wounds, it is recovering itself as far as civilization will allow. Its grim ramparts and gaunt cliffs are smiling into beautiful gardens and terraces, fine mansions are rising where stern fortifications once stood; railway and other bridges span the vallies which open in beautiful vistas around, and the fierce old fortress-city is rapidly changing its aspect, the fortress is fading away, and the city is expanding, as though stretching its limbs with a first consciousness of freedom. Arriving late in the evening, we were scarcely conscious of the peculiar and insulated position of the city, so when the next morning we strolled along its streets and market-place, it was quite a revelation to turn aside in almost any direction and find that every cross street led us to a precipice which commanded fine views over the distant country and a bird's-eye view over the suburbs immediately below.

There is not much to be seen in Luxemburg, at least in the way of regular sights; the position of the place is its chief charm; but we must not forget the quaint old church of Our Lady, which has a kind of national interest for us, inasmuch as it contains the mausoleum of that blind King John of Bohemia whose death at Crecy is such a lasting picture in our minds, and whose crest and motto (*Ich dien*) are so familiar as those of our own Princes of Wales. The mausoleum is in truth but a cenotaph; for the body of the old warrior had been six times removed before, at the French Revolution, it was put in a museum, where it remained until the King of Prussia, in 1838, built a chapel for its reception in that wild cliff which overhangs the Saar some three miles from Saarbarg, and there rests, after so many and strange wanderings, the body of him who fell nearly five hundred years ago. But when the railway carried us by this, the last resting-place of the old King, we thought of what the Church of Our Lady at Luxemburg contained, and almost wished for another removal and its return to its first resting-place, the mausoleum in the old border fortress.

From Luxemburg it is but a pleasant excursion to Trier, and thither we betake ourselves; for it has many claims to attention. Trier we call it, for it is German, and Trèves should depart with the French, who have it not. Indeed, it is but a restoration of the old English name Triers, by which it is spoken of by writers like Alban Butler, of the last century.

It is a city of wonderful antiquity, and as an inscrip-

tion on the front of the old Townhall, now the Red House Hotel (*Das Rothe Haus*) records: "Ante Roman Trevis stetit annis MCCC," which refers to the legend that Treves was founded by Trebeta, the son of the Assyrian monarch Ninus. Be this as it may, we know that Julius Cæsar (B.C. 58), as he tells us, found it the flourishing capital of the Treviri, and was glad to form an alliance with its people. So we look for some signs of high antiquity when, leaving the railway station, we enter the city by one of its suburbs. But when do suburbs bear witness to antiquity, for, almost of necessity, they are the newest of the new; and so it is that by pleasant paths and under shady trees we approach the *Augusta Trevirorum*, as the Emperor Augustus called it when he established a Roman colony here, and gave it the highest colonial privileges. On we stroll amid the surroundings of a railway approach, until we turn a corner into a main street we have just reached, and there, without a word or sign of warning, stands before us the Black Gate, the Roman *Porta Nigra*, the German Schwarzes Thor. Roman it certainly is, and to our unaided judgment of vast antiquity, for it is cyclopean in the dimensions of the stones of which it is built, some eight or nine feet long, and these heaped together without cement of any kind, and held by metal clamps, which have been extracted, to the no small damage of the mutilated rocks, which yet stand firm in spite of rough treatment.

Some learned critics tell us the Black Gate is of the days of Constantine the Great, and so must have been built less than sixteen centuries ago. But there are others who contend for a greater antiquity, and say that it existed before the Romans came. So perhaps after all our first impression is correct. Yet, with Constantine, it is pleasant to connect it, for in the cathedral we have the memory of his mother, St. Helena, perpetuated, and if the son built the gate, it was to lead up to and protect the shrine which the mother built. These memories haunt us as we traverse the street that connects the two, and suggests other venerable names more or less connected with this ancient city. For here St. Jerome studied when he fled (A.D. 370) from the still Pagan Rome—pagan that is in its life and traditions—and sought safety for study and meditation in this northern capital, which was, in truth, so much more Christian. Here, too, St. Ambrose was born (A.D. 340), and though he was removed while yet an infant, when his father, the illustrious soldier, received an Italian command, yet, some

how, it is pleasant to combine his name with that of the other great Father and Doctor of the Church, and to think in Triers of Constantine and St. Helena, and of these other two, the one baptised, and the other hearing Mass in the grand cathedral, which the first Christian Emperor enabled and assisted his English mother to raise. So Triers has its strong claim upon our reverence as Catholics, to say nothing of national feelings, which are not less gratified.

But, we must pause awhile at the Black Gate, Forum of the Belgæ as some call it, or City Gate of Constantine as others maintain; be it which it may, or as we venture to suggest, very probably both, which would only imply an adaptation of an old building to a new purpose; as in mediæval times it was still further developed into a Christian Church, and, almost in our own day, restored to its earlier use. These various transformations have made it the strange relic that it is—a puzzle to antiquaries and a fruitful source of endless controversy.

Thus we have the double archway, piercing a central passage through a lofty building 115 feet broad and 29 feet deep, of two stories, terminating on the one hand in semi-circular apses, 75 feet high, while on the other it rises 93 feet high into another storey, which was added in the eleventh century, when Archbishop Poppo converted that end into a Christian Church, or rather into a pile of three churches, standing one above the other. So it is that the architectural design has thus been confused into confusion worse confounded. Yet is the general effect all the more striking, and though no part is of a light order, the venerable cyclopean work of the most ancient part maintains its dignity and supremacy, and in its partial mutilation, by which, as we have said, its massive stones have been torn from their almost seamless junctions, and lacerated for the metal which bound them together, it still stands strong in its ancient strength, with scars that show only the impotence of its foes, defying all assailants of every age, from the earliest to the latest which was, of course, the First Napoleon, who plundered it of what he could utilize, and cast its weighty leaden roof into bullets. Prussia has taken it in hand, and that implies a careful sweeping away of all extraneous adaptations, including, unfortunately, the Church which so long dwelt under its roof and purged it from its paganism, as well as a watchful guardianship of the grand old gate, which shows, at least, a reverence for antiquity.

But, it is time we leave the Black Gate and our speculations thereon, and betake ourselves to the grand Cathedral which S. Helena founded, and which is now under her invocation, combined with that of S. Peter, to whom she originally dedicated it. Of course it has grown from age to age in size and grandeur from the work of S. Helena in the fourth century, until its completion in the twelfth. At first, and, indeed, for seven hundred years, it was as S. Helena built it. There was the usual circular Baptistery, and near it, but not of it, the Basilica, in form that of the Roman Court of Justice, with open atrium leading into the nave, which terminated in a small semi-circular apse. Often were the Basilicas, the Roman Courts, converted without any alteration of their main features, into churches, and, still oftener were they the designs after which the churches were built. In the eleventh century, Archbishop Poppo, who Christianized the Black Gate by building his pyramid of churches therein, laid no irreverent hands upon the primitive cathedral, but adapted it to the wants and the tastes of his day. The open atrium was roofed in, the brick columns of the nave were coated with stone, the nave itself was enlarged, and in true German fashion, a second apse was erected, at the west end. Still more had to be done, and the requirements or devotional spirit of the twelfth century enlarged still further the nave, and built a grander apse at the east end, which, however, did not replace, but embraced in its larger dimensions, the original one of S. Helena.

In this same century the Baptistery was pulled down, and in its place was raised that glorious Liebfrauenkirche, which is allowed to be the first perfect specimen of earliest Gothic architecture, and is perhaps as beautiful as any that has succeeded it. So it is we have what seems a natural growth, and as such a great work, brought in time to maturity, with far more than usual of the original work retained, and thereby the traditions preserved and respected of those early days which, somehow, seem to advance in interest as they recede in time.

Within the High Altar, we are told, is walled up the Holy Coat, which some of us may remember being exhibited in 1844 to a million of pilgrims. Few events of a similar character have created so much excitement throughout Europe. The newspapers were full of it, and wonderful doctrines were broached by these self-constituted theologians, many weak minds were sorely exercised, and many pon-

derous heads shaken with evil forebodings as to what would come of it. A kind of crusade was made under a fanatical leader, whose very name is forgotten, and a transient sect sprung up which, like the forebodings, eventuated in nothing. The sacred garment of camel's hair was returned to its secure resting place, until the year comes round when it will be again brought forth, as it has been at times, for at least seven hundred years, to encourage the devotion of the faithful and to excite the wrath of the scorner.

Not far from the cathedral stands a portion of the old Basilica in which Constantine resided. Much was removed to make room for, and of course contributed its material to, the Palace of the Bishops-Electors, but what remains, though now incorporated into a Protestant Church, speaks plainly enough, of its Roman origin: its walls ninety feet high and ten feet thick, perfect and compact after centuries of rough usage, tell of those wonderful men who seem beyond all others to have built for eternity.

There are other Roman remains near Triers, and notably an amphitheatre and baths, but in truth we did not visit them, being urgently warned against so wasting our time; but as our friends were military men their advice in matters of art may not have been deserving of so much attention as we gave it. So, instead, we strolled along the banks of the Moselle, and from the centre of the noble bridge—itsself, perhaps, the oldest Roman monument here surviving, having been founded by Augustus himself B.C. 28—surveyed the grand old city on one side, and the heights of Pallien on the other, which are graced with a lofty tower, crowned with an image of Our Blessed Lady, the renowned Marien-Säule.

And so we bid farewell to Triers of the many lives and strange vicissitudes. Nestling among its vine-clad hills,¹

¹ Moselle wine inspired some ancient votary to write this earnest prayer which has the true mediæval ring in it:—

“Trevir metropolis, urbs amænissima

“Quæ Bacchum recolis, Baccho gratissima,

“Da tuis incolis vina fortissima

“Per dul or !”

Old hymn.

The last line has come down to us in a very mutilated form, which a learned friend suggests may be amended into mediæval Latin thus:

Perdulcissima cordibus!

Another distinguished classical authority proposes, also in mediæv shape:

Per dulce vinum oro te

The former has the superlative ring in thorough harmony with th

with the broad Moselle, once flowing through its midst, and now washing its suburb, by the dwindling away of much of the ancient city; at one time the flourishing capital of the Treveri, before Cæsar visited it with his conquering legions; then the favoured city of Augustus, who gave it his name *Augusta Trevirorum*; then becoming the capital of Belgic Gaul, and the residence of him who ruled not only over what is now France and Germany, but also over Spain and England; where six Emperors made their home, and made it indeed the second Rome. Then, when Goth and Hun, and Vandal had done their work of destruction upon it, and seemed almost to have swept it from the face of the earth, as they indeed did with so many places of ancient renown, the vigorous old city rose up into a new life, and under the fostering and often martial hands of its Elector-Bishops, flourished again for upwards of a thousand years, until its spiritual-temporal rulers removed their residence and their power to Coblenz, just a hundred years ago, and the French Revolution played here as elsewhere the destructive part of the earlier barbarian, and swept from Triers numbers of its churches and convents, reducing its ecclesiastical glories which had placed it high above every city of its own size, to the condition in which we now find them. But, even now, after all these changes and devastations it remains the oldest city in Europe, rich in tokens of Roman grandeur and in those holier gifts which the Church has bestowed upon it, and in the memory of those great ones, Emperors of the earth and Saints of heaven, whose names are inseparably entwined with that of Triers.

HENRY BEDFORD.

previous lines; while the latter, keeping closer to the original fragments, is more in accord with the form of a hymn which is obviously imitated throughout.

The reader may choose for himself; while for ourselves we confess that either one would have seemed the best possible had we not seen the other.

FAITH AND EVOLUTION.

I am deeply indebted to Fr. Vaughan for "being unwilling now to lower" the "very high estimate" he has formed of my ability. But, if it must be so, then, be it so. I have a stoical way of meeting such calamities. And, after all, if my "illustrations are misleading" my "logic sometimes strangely at fault;" if I substitute "rhetorical flourishes" for "the less easy process of reasoning;" if I misrepresent and misapprehend "through inadvertence," or for any other cause, a very plainly written essay; if I mistake my own prejudices for the faith of the Church,—if all this be true (and Fr. Vaughan says it is),—then he must have formed his "very high estimate" on very insufficient data, and the sooner that estimate be changed the better, in the interests of truth. It will be seen, then, that while I appreciate fully, and I think accurately, Fr. Vaughan's complimentary references to me, and am duly grateful, I am quite prepared placidly to submit to the inevitable.

But, I am very far from being disposed to allow the above sweeping assertions to pass unchallenged. I believe them to be groundless, and I shall show cause for this belief. In his former essay Father Vaughan professed that his sole aim in writing was to aid in the discovery of truth, and the essay fairly justified that profession. But his second essay is not, I think, well calculated to secure that end. For its tone is needlessly harsh and severe; and there is a high authoritative air about it, which the character of the reasoning does not warrant, and which on that account will prejudice rather than help his cause. And so far from being a "reply" it is a most elaborate effort to avoid a "reply" by keeping out of view the real question at issue. That issue I stated as follows:—"The Scriptural account of man's creation, taken in the ordinary meaning of the words, clearly points to the doctrine of the *immediate formation* of the first man's body—a doctrine that is incompatible with evolution. The Fathers of the Church, with scarcely an exception, interpret Scripture in that same sense. Coming down along the line of Catholic tradition, we find our great theologians teaching the same doctrine in language still more precise and clear. And, as we come to our own time, when this strange evolution theory is *first* distinctly heard of, we find the best theologians, our most

reliable guides, reprobating it in most unmeasured terms. Then, I say, in such teaching we must recognize the voice of the ordinary *Magisterium* of the Church, forbidding in no doubtful tones the application of the Evolution theory to man." (RECORD, Aug. 1885, p. 481-82). Here, then, is the issue which Fr. Vaughan in his "reply" has not even touched. Not one assertion in the above extract has he even attempted to disprove. In proof of my position I quoted a whole host of authorities—no obscure theological pamphleteers, but the first, the best known, the most trusted theologians, ancient and modern, of the Catholic Church, standard theological authorities, every one of them—men whose fame has reached to every land, whose names are familiar to theologians and theological students all the world over. The more ancient of my authorities who knew nothing of evolution, taught as a revealed truth, as an integral part of the Divine deposit of Faith, the *immediate formation* of Adam's body, and in so teaching gave *indirect evidence* against Evolution as applied to man. My modern authorities knew the Evolution theory, studied it, understood it, and condemned it expressly and explicitly, as incompatible with the faith. I said, "these authorities I might have multiplied many times. I did not regard the Scripture texts as conclusive proof of this doctrine. I merely said, and I now repeat it, that those texts taken in their ordinary meaning clearly pointed to *immediate formation*. But, knowing how men quarrel about texts, and distort them, I quoted Fathers and theologians, as determining—fixing the meaning of the Scripture texts. I found them teaching the *immediate formation* of Adam's body, and thus removing all doubt as to the meaning of the Scriptural account. On this *one proof* I grounded the doctrine maintained in my article of last December, and, notwithstanding, a good deal of hostile, and some unmannerly criticism that one proof remains unimpaired." (RECORD, Aug. 1885, p. 487). And I added at page 492, "this testimony is abundantly sufficient to bring home conviction to men who, like Fr. Vaughan, are trained to reason on Catholic principles. . . . Such teaching and such testimony make it certain to us that the doctrine is true and revealed, and, consequently, we have no claim to that liberty of doubt for which Fr. Vaughan contends." Such, then, was the position taken up by me, and such the evidence adduced by me. And to shake that position or to meet that evidence Fr. Vaughan in his "reply" has done—absolutely nothing. Instead of directing

his attention to the real issue, Fr. Vaughan in his "reply" is occupied with a number of secondary points, which, no matter how decided, would leave the real question where it was. And, here, therefore, I might safely take leave of Fr. Vaughan's "reply," and wait until it assumed a more definite shape; but I must test the accuracy of his charges against me of misleading illustrations and faulty logic, &c.

Fr. Vaughan says, "I would have hesitated to write again on this subject had I not good reason to know that it is one which is much agitating the minds of earnest and God-fearing men. . . . To force upon such as these Fr. Murphy's views of Adam's corporal creation would be to put this faith and obedience to a cruel test." (Page 652.) I was under the impression, and am still, that my "view on Adam's corporal creation" was rather popular amongst "God-fearing men" for many ages past, and that it was only in modern times when the fear of God and the wisdom that is inseparable from it are becoming somewhat more rare than they used to be, that other "views on Adam's corporal creation" are being broached. And those God-fearing men of the past submitted cheerfully to tests that would seem "cruel" in the extreme to those for whom Fr. Vaughan is so greatly and so charitably concerned. "They were stoned, they were cut asunder, they were tempted, they were put to death by the sword, they wandered about in sheep-skins, in goat-skins, being in want, distressed, afflicted, of whom the world was not worthy, wandering in deserts, in mountains, and in dens, and in caves of the earth." (Heb. xi., 37-38.) I fear that "the God-fearing men" who regard it as a cruel test to be asked to believe what Christians have always believed of "Adam's corporal creation" would, if put to the other test, meet it in a manner with which Fr. Vaughan could not sympathise. Fr. Vaughan adds, as a reason for not testing "the faith and obedience" of his "God-fearing" clients, that "if we allow his view (mine) to be even probable—which, owing to the probability of the opposite view, still leaves us free—it is the very utmost limit to which even courtesy itself can push us." (Page. 652.) To admit the probability of my view, seeing that it is held by all the great Catholic theologians, is, indeed, a very liberal concession, a great stretch of "courtesy" Now, I am anxious to be as courteous as possible to Fr. Vaughan, but no amount of "courtesy itself can push" me to admit the probability of the view for which he contends. Against

that view is the teaching of the principal Fathers, and of all the great theologians of the Catholic Church, and that teaching too on a matter quite within their province. In favour of that view are the hesitating admissions of a few men comparatively, if not completely, unknown. That view, then, is not probable—has neither intrinsic nor extrinsic probability, and in so serious a matter no concession to liberty can be grounded upon it.

Fr. Vaughan says, "I think, indeed, most of my readers will allow, that Fr. Murphy's arguments and proofs are hardly such as to compel us to evacuate the position we have taken up." (P. 652) Fr. Vaughan forgets that the burden of proof in this matter rests on him, and on those who think with him. They are the aggressors. They come to dislodge the old traditional belief of Christians with reference to Adam's creation—the belief that has been in possession for ages. On these then rests the burden of proof, and proof Fr. Vaughan has not offered.

In examining my "arguments and proofs" Fr. Vaughan refers first to my remarks on his argument regarding the "minor importance" of the doctrine. I must refer him to page 487 of my article (August RECORD) where I stated plainly that I adduced but "*one proof*," and that *one proof* Fr. Vaughan has not examined. Fr. Vaughan said that this question of Adam's *immediate* or *mediate* formation was one of minor importance, and his object in saying so was to show that the doctrine was not revealed. I instanced the discussion on the subject as a proof that the doctrine was not regarded as of minor importance. He replies that I mix "up two utterly different questions." *Question one* is: Was Adam's body made by God *mediately* or *immediately*? *Question two* is: Is the immediate formation of Adam's body a matter of faith? P. 653.

It was "*question one*," he says, he "spoke of as of minor importance," while it was "*question two*" that has attracted so much attention. Fr. Vaughan forgets that the discussion did not originate with him. And if he go back in the discussion he will see that *question one* entered as largely into it as *question two*. He will find that I discussed *question two* as the most effectual, or perhaps the only effectual way of solving *question one*. In the RECORD for Dec. 1884, p. 760, I stated that plainly, and I went over the same ground substantially in the *Tablet*. And though Fr. Vaughan says that it was *question two* he "thought of sufficient moment to make the subject of a long article,"

if he look over that "long article" he will find fully one-third of it devoted to *question one*. So that after all I was right in saying that the whole question, *one* as well as *two*, had attracted a good deal of attention. Then I referred to the fact that most of our dogmatic and scholastic theologians discuss it at length, and Fr. Vaughan says that they discuss many things that are of minor importance, and he instances what I said—"they discuss the place where the first man's body was created, the nature of the slime, how it was procured, and whence." And Fr. Vaughan says: "Now, who will say that these are matters of anything more than minor importance?" I am one of those that say that in the present discussion "these are matters" of the very highest importance (and it was with that conviction I inserted them), for they fix and define the character of that process of creation which the theologians had before their minds: they show that in the process of creation present to the minds of the theologians there was no room left for the tadpoles and anthropoid apes to which Fr. Vaughan gives the nice name of "existing forms." So far, then, my logic is not so "strangely at fault." My principal argument for the importance of the doctrine was the fact of its revelation. I said, "if the doctrine be revealed, then its revelation is a sufficient warrant of its importance." Fr. Vaughan admits this, but he adds, "Once begin to deal in '*if*'s," and where shall we end?" An inconvenient question this for advocates of Evolution, who have nothing but "*if*'s" to deal in. But I removed my "*if*" by proving that the doctrine is revealed, and that proof in all its strength and integrity confronts Fr. Vaughan still. He says: "Fr. Murphy is positive that the words, 'God made man from the slime of the earth,' mean more than the sentence explicitly expresses." I am "positive" that the words "God made man" do mean exactly what they do explicitly express.—nothing more, nothing less—namely, that God actually did make man, and did not commit the operation to any or to all of Fr. Vaughan's 'existing forms.' But Fr. Vaughan is positive that the words 'God made man,' may mean far less 'than the sentence explicitly expresses'—may mean that God did not make man at all, but delegated the work to those very convenient "existing forms." My meaning of the sentence is the ordinary meaning. Fr. Vaughan's is a very extraordinary meaning indeed.

Fr. Vaughan introduces some Scripture texts for the purpose of showing that the "*prima facie* interpretation is not always the true one." This, of course, I fully admit. But then I did not quote Scripture as of itself sufficient to prove my doctrine. I took as the true meaning of the text that interpretation which Fathers and theologians have always put upon it, and that meaning for such a text is "always the true one." But Fr. Vaughan fancies that that the text of *Josue* x., 13, is an instance in which a consensus of Fathers and theologians has given us an interpretation which we now know "to be absolutely and ludicrously false." This is the old, old story—the case of Galileo, and as Fr. Vaughan may have an opportunity of seeing elsewhere what I have to say with reference to it. I shall for the present merely say (what is sufficient for my present purpose), that the difficulty is only apparent, for the doctrines are in no sense parallel. The *immediate formation* of Adam's body is the direct explanation of an article of Faith, an explanation given with unbroken harmony by Fathers and theologians, accepted and believed by the faithful from the earliest dawn of revelation down to the present time. The supposed motion of the sun or earth has no necessary connection with any article of Faith; the Scriptural allusions to it are only indirect and incidental, such as we ourselves are every day using, though we accept the Copernican system. But is there in reality a consensus of Fathers and theologians explaining this text of the motion of the sun. Fr. Vaughan quotes Bellarmine's letter to Foscarini as proof that there is such a consensus. But had he examined the matter for himself he would find that there is no such consensus as Bellarmine seems to assert. He would find that Fathers and theologians do not trouble themselves very much with the solar system. To take it for granted that the sun moves, and then to explain certain Scriptural expressions in accordance with that supposition is *one thing*; to lay down as a truth that the sun does move, and then to prove that truth from Scripture is *another and a very different thing*. The *former* many eminent writers have done. The *latter* has been done by very few; and it is only the latter that could in the smallest degree aid Fr. Vaughan's case. The controversy on this text did not arise out of any zeal for scientific truth; it originated with infidels whose aim was to disprove all miracles, Scriptural or otherwise. And the Catholic commentators on *Josue's* text aim at proving

the reality of the great miracle, whereby the day was prolonged, that the enemies of God's people may be defeated. To establish this reality of the miracle they appeal to the testimony of *Josue*, and other sacred writers, to the public, notorious character of the fact, which had so many witnesses, and to the other ordinary criteria of a great miracle. They go on the supposition that the sun moves, but they do not argue the question, much less do they seek to prove it from Scripture. Some of our best commentators on this text, such as Calmet, who has written a long dissertation on it, refer to both systems, and say that for establishing the reality of the miracle, it is immaterial which system we adopt; thus clearly showing that they regarded the motion of the sun or earth a matter of very small concern, and that the truth of the text was not involved in the alternative which of the two bodies moved.

And it is only about Galileo's time when the dispute arose amongst the philosophers, that Scripture was made to do duty for false philosophy, and theologians attached to the Ptolomaic system, quoted Scripture to prove that the sun moves. But the action of such men in such circumstances, and on such a subject, does not constitute a tradition in the slightest degree binding upon us. And Bellarmine himself in the very letter quoted shows that he did not regard this consensus as decisive in the case; for he admits that this doctrine is not "*de fide ex parte objecti*," which means that *it is not revealed at all*, and if it be not revealed, then the consensus, with reference to it, is valueless. And Bellarmine further professes his readiness to change his idea on this Scripture text, should a conclusive argument be adduced for Copernicanism. But he could not entertain any such supposition had he regarded the alleged consensus as decisive. Thus, then, the solitary witness brought forward to establish this consensus actually proves it to be worthless. The doctrines, then, are in no sense parallel. In the case of Adam's creation, we have a revelation, and a consensus of Fathers and theologians interpreting it. In the other case we have neither a revelation nor a consensus. In this matter Fr. Vaughan seeks very cleverly to turn my own words against me. If I had given him the construction of my arguments, no doubt he would consult his own convenience, and as a consequence find it easy to undo his own work. But I decline the responsibility of the arguments he constructs for me.

Fr. Vaughan refers to "Transubstantiation" as the first

of my "misleading illustrations." Now, the fact is, I did not use this "illustration" at all. I did not contrast *Transubstantiation* with the *immediate formation* of Adam's body; nor did I compare the proof of the one doctrine with the proof of the other. But I found Fr. Vaughan using against *immediate formation* an argument which a Lutheran might with equal force use against *Transubstantiation*. I said a Lutheran "might, with a considerable show of reason, urge the argument adduced here by Fr. Vaughan" against *Transubstantiation*. Now, this means clearly enough that Fr. Vaughan's argument in the mouth of a Lutheran, speaking against *Transubstantiation*, would be just as good as it is in his own mouth speaking against *immediate formation*; in both cases the argument is equally good, or rather equally bad—for bad it is in both cases, as I pointed out very clearly in the few sentences that followed. In other words, I showed how clearly bad was Fr. Vaughan's argument against my doctrine, by showing that it was no better than the clearly bad argument of the Lutheran against *Transubstantiation*. And hence, Fr. Vaughan's long proof of the *Real Presence* may be very good in its place, but it is out of place where he puts it.

Again, I did not use the doctrine of the "*Immaculate Conception*" or *Papal Infallibility*," as "illustrations;" I did not contrast either doctrine with mine. But Fr. Vaughan said that incidental and "per transennam" teaching cannot command much respect nor claim much authority." And I argued that since such evidence had done good service for the doctrines of the "*Immaculate Conception*," and *Papal Infallibility*, it must be valuable also, if forthcoming, in aid of the doctrine I was defending. I found theologians teaching the *immediate formation* of the first man's body in such a way as to shut out any such figment as evolution. And such teaching is indirect evidence against evolution; and my argument is that if indirect evidence be good in one case, it is good also in the other. Thus, then, I contrast evidence with evidence—not doctrine with doctrine; and thus it is clear that the "misleading illustrations" are Fr. Vaughan's own "illustration," and not mine.

Fr. Vaughan thinks that I "ignore the whole system of inductive reasoning," because I reject *his* analogy as an argument for evolution. I do nothing of the sort. I said, and I repeat it, that analogy is no argument *in the case before us*; but whether analogy be a good or a bad argu-

ment in other cases I did not say *then*, and I do not say *now*, and he has given me no reason to change my opinion. With reference to his quotation from Dr. Ullathorne, Fr. Vaughan says: "Fr. Murphy's astonishment at my claiming the Bishop as an evolutionist (which I never did) was somewhat premature" (p. 656). Now, I did not say that he "claimed the Bishop as an evolutionist;" but I did say, and I was correct in saying, that he claimed the Bishop as "countenancing evolution." Fr. Vaughan used "analogy" to show the reasonableness of evolution—to show that since "every man's body passes through" certain stages "before receiving a soul," "if Adam's body did not, the fact can only be regarded as a most astounding exception." A most astounding and extraordinary assertion this is. But at all events the aim of this argument is to countenance evolution. And since Dr. Ullathorne is quoted to give strength to that argument, therefore he is "quoted as countenancing evolution;" and, therefore, I was right in quoting Fr. Vaughan as I did, though he was wrong in quoting the Bishop as he did.

Fr. Vaughan says, "great stress is laid by Fr. Murphy upon the difference between immediate and instantaneous formation." . . . "If anything is to be gathered from Fr. Murphy's language, it is that Adam's body might have occupied ages in forming, if only we allow that it was formed by God immediately in the course of these ages" (p. 659). This Fr. Vaughan fancies is a complete surrender on my part. Let us see, I said: "For evolutionists the question of time is, of course, of vital importance; but for their opponents, the sole question is whether the formation of the first man's body is or is not the *immediate* act of the primary cause, *no matter whether that formation may have occupied countless ages, or be accomplished in the twinkling of an eye*" (RECORD, August, 1885, p. 483). Therefore, I neither admitted nor denied "that Adam's body might have occupied ages in forming," but I said that for my purpose it was perfectly immaterial whether it did or did not, and I now repeat this. And no "stress was laid" by me on the distinction *except for the reason I specified*, namely, to deprive Fr. Vaughan of the suffrage of Arriaga, whose teaching was directly against him. The *formation* is *immediate*, as long as, and no longer than the primary cause acts. It may then be *immediate* without being *instantaneous*, and it may perhaps be *instantaneous* without being *immediate*; or it may be *instantaneous* and *immediate*

both together. Fr. Vaughan admits the distinction *now*, but the argument of his previous article shows that he did not admit it *then*. For he quoted Arriaga as "in favour of a mediate formation," and against the *immediate formation*. Now if he believed his quotation to be appropriate, he must have believed *then* that *mediate formation* was a synonym for *non-instantaneous formation*, for it is this latter that Arriaga maintains in the text quoted; and he must have also believed *then* that *instantaneous formation*, which Arriaga rejects, was a synonym for *immediate formation*, against which Fr. Vaughan quoted Arriaga's text. Fr. Vaughan can see *now* what he did not see *then*, why "I accentuate the distinction between immediate and instantaneous formation." It was because he confounded them, and quoted as against one, language used by Arriaga against the other. And Fr. Vaughan adds: "And why put on one side Arriaga's words so lightly because he speaks of the latter and not of the former, if he rejects both equally?" He does not "reject both equally." He rejects the latter, he holds the former, and he speaks of both. That is, Arriaga holds that the first man's body was the immediate work of God, but he thinks it more probable that the body was not formed instantaneously. It is clear then that Arriaga would have no difficulty in accepting Fr. Vaughan's scale of instants 1, 2, and 3, &c. Neither have I, for it in no way affects the truth I am defending, provided that in each of these instants, the organism be the work of God Himself, and not of Fr. Vaughan's "existing forms." Formation in accordance with this scale Fr. Vaughan thinks is enough to satisfy most scientists. For what they are anxious about is not . . . whether God directly and *per se*, or indirectly and *per alium* made Adam's body, but that it was gradually formed" (p. 660). "Gradually formed" by what immediate agency? This is the question, and the very thing which Fr. Vaughan says the scientists are "*not anxious about*," is that precisely which exclusively occupies their attention, namely, "whether God directly and *per se*, or indirectly and *per alium* made Adam's body," and in their view the "*gradually*" comes in as a matter of necessity. And formation in accordance with Fr. Vaughan's scale of instants would not satisfy any of the scientists (*i.e.*, the evolutionists), if in each of his instants "God directly and *per se*" had been forming Adams's body. Fr. Vaughan adds: "the *process*, not the agent is the main matter of interest" (p. 660). But he stated previously that the process, that is the "manner"

was of "minor importance," and in admitting that it is an article of Faith that "God made man," he admits that the "Agent is the main matter of interest." There is, I submit, a want of harmony here. Fr. Vaughan admits that the "Agent" is *de fide Catholica*, and I have proved that the process is *de fide Divina*.

Fr. Vaughan does not like my treatment of his theological authorities, and is particularly plaintive about Fr. Secchi. His language here is, I think, a proof that "rhetorical flourishes" are sometimes called upon to do duty for . . . the less easy process of reasoning." I assure Fr. Vaughan that I do not yield to him in respect for the illustrious Jesuit Astronomer. But Fr. Vaughan knows that it is a special characteristic of the great Jesuit Order that they train up *specialists* in various departments. Fr. Secchi was their specialist in his department, just as Franzelin, Ballerini, and Mazzella, are in theirs. If, then, I want an authority on theology, I will not go to Fr. Secchi; and if I want an authority on the solar spots, I will not go to Franzelin. This will explain my saying that "I never heard Fr. Secchi quoted as a theologian," and it certainly means no disrespect. I do not believe in walking encyclopoedias,—that is all. Like Sydney Smith, I prefer "to have the courage to be ignorant of many things, in order to avoid the calamity of being ignorant of everything." Fr. Secchi was the friend of Franzelin, Ballerini, Patrizi, &c., and hence Fr. Vaughan infers that his alleged ideas on evolution must be correct. If this be a good argument, then Fr. Mazzella's ideas on the subject must be equally correct, for he too is "the friend and associate" of Franzelin and Ballerini, and of as many of the other distinguished men named as are now living. But Fr. Mazzella holds evolution to be incompatible with the Faith, while Fr. Secchi is said to hold that it is not so. Fr. Vaughan's argument then would prove evolution to be orthodox and heterodox at the same time. These conclusions do not well harmonize.

I decline to discuss the merits of Fr. Vaughan's other theological authorities. Besides being "*juniores et moderni*," they are comparatively unknown,—men, therefore, whose authority is to be judged of by their reasoning and not by their names. As far as Fr. Vaughan has given their reasoning it is not impressive, and their opinion as to the orthodoxy of evolution is, moreover, very hesitatingly given. I have already said sufficient to dispose of Mendive as an authority. To compare such men with theologians whose names are on the lips of every student of theology all the world over,

is to trifle on a great subject on which so much depends. But Fr. Vaughan says, "I was comparing my modern authorities with Fr. Murphy himself. . . . The question therefore which I only now (when pressed) put in a personal form is: Whose interpretation shall we accept? The Rev. J. Murphy's, which is condemnatory, or Fathers Secchi, Mendive, Gmeiner, which is for freedom." P. 662. It is a pity that Fr. Vaughan even "when pressed" should put a question which, besides being "personal," is highly unfair. He treats the question as if I had been all along promulgating my own individual opinion—posing as an authority on a complex and difficult question. Now, to seek to create a prejudice in this way may suit the purposes of disputation, but it does not favour the cause of truth. It is perfectly clear to any one who has read what I have written on this question that I did not put myself forward as an authority. I collected and compiled the teaching of others. I took my extracts from the best known, the most approved and trusted theologians of the Catholic Church. I gave the words of my authorities faithfully and fully, and I gave all the necessary references so that anyone who willed it may verify my quotations. Some of my authorities gave indirect but conclusive evidence against evolution; others of them condemned it formally and explicitly; all of them were men of world-wide fame as Catholic theologians. And as Fr. Vaughan has sought to raise a false issue, I now put the question, not "in a personal form," but in the proper form. It is this. From which of the following groups of theologians are we to take the explanation of a revealed doctrine. From which group is the *sana doctrina* more likely to come.

ON FR. MURPHY'S SIDE:

St. Chrysostom
 St. Thomas
 Suarez
 Sylvius
 Arriaga
 Perrone, S.J.
 Mazella, S.J.
 Hurter, S.J.
 Knabenbaur, S.J.¹
 Jungman
 Lamy
 Moigno
 Dr. Ullathorne, &c., &c.

ON FR. VAUGHAN'S SIDE:

Fr. Secchi (*perhaps*)
 Mendive
 Dr. Schafer
 Dr. Guettler
 Rev. John Gmeiner of Milwaukee

¹ I took the opinion of Knabenbaur from Hurter, who took it from the identical source to which Fr. Vaughan refers me.

I was contrasting the authorities in column *one*, with Fr. Vaughan's authorities given in column *two*, and in such a contrast it is easy to decide. From the above contrast I inferred *rightly*, that there is no probability in the opinion of Fr. Vaughan's authorities. And of the testimony which I adduced, I said, and I now repeat it : " This testimony is abundantly sufficient to bring home conviction to men who, like Father Vaughan, are trained to reason, on Catholic principles. . . . Such teaching and such testimony make it certain to us that the doctrine is true and revealed, and, consequently, we have no claim to the liberty of doubt for which Fr. Vaughan contends." (P. 492, RECORD, August.) I shall now add one other authority, whose name I am sure is familiar to Fr. Vaughan. Dr. Scheeben, of Cologne, says in his *Dogmatic Theology*, vol. iii., No. 384 :— "C'est donc, déjà une *heresie* de pretendre que l'homme, quant à son corps 'descend du signe' par suite d'un changement progressif survenu dans les formes, quand même ou supposerait que dans l'évolution complete de la forme. Dieu y a créé simultanément une âme." The character of Dr. Scheeben as a theologian is borne out by the fact that his work is selected as the dogmatic part of the "Bibliothèque theologique du XIX. Siecle," a compilation to which Cardinal Hergenrother contributes the historical part.

Fr. Vaughan says, "In conclusion, then, say what he will, Fr. Murphy cannot emerge from his position." And I say, in conclusion, that I have no intention whatever of emerging from my position; nor have I the smallest fear that Fr. Vaughan can make that position untenable or insecure. And if he mean to carry that position there is harder work before him than he seems so think. "The hot-iron of criticism" which he "would like to press over many other points" in my essay has, I think, already singed the hand of the operator, without in the slightest degree smoothing over the stiffness of what I had to say. With all confidence I leave the decision of the controversy to the readers of the RECORD. They are, with very few exceptions, trained theologians, men who are trained to reason accurately, accustomed to weigh authorities, and to balance evidence. With such men a high, decisive, authoritative tone will not of itself rank as a conclusive argument. With them St. Thomas will count far higher than Mendive; Suarez will be more "famous" than Dr. Carl Guettler; Arriaga will be more "distinguished" than Dr. Bernhard

Schäfer, and Mazzella and Hurter will altogether outweigh the Milwaukee Professor. And, in weighing our authorities, such readers will completely, and, I think, properly, ignore Fr. Vaughan and myself. And, if Fr. Vaughan had compared those same authorities, and had weighed them calmly and dispassionately, he, too, I think, would come to see that those "earnest and God-fearing men," for whom he pleads, are not wise in regarding it as "a cruel test," of "their faith and obedience" to be required to believe a "view on Adam's corporal creation" which the holiest men that ever lived have ever believed, and which the greatest theologians that ever lived have always taught. Far be it from me to insinuate the slightest doubt as to Fr. Vaughan's readiness "to die for the faith as well as to argue for it;" but I must say that if the theological notions I have been here combatting once became common, Fr. Vaughan and I would very soon have little left us to defend.

J. MURPHY, C.C.

[We now close this controversy. The important subject has been fully discussed with advantage to the readers of the RECORD, and we offer our best thanks to the learned writers for their very interesting and valuable essays.—ED. I. E. R.]

THEOLOGICAL QUESTIONS.

What a priest may do for *bona fide* non-Catholics in danger of death, to whom he deems it imprudent to speak of the obligation of external Communion with the Catholic Church.

In a private letter a Reverend correspondent has written to us from England on a matter of considerable importance to missionary priests. He is anxious to see stated in the RECORD what a priest may do for non-Catholics who are *bona fide* and in danger of death. In this form the subject admits of many turns; but our respected querist limits his question to a much more definite issue, and this we at once proceed to set forth almost in his own words. "May a priest," he asks, "and ought he, administer the necessary sacraments, viz.: baptism and penance, *sub conditione*, to *bona fide* non-Catholics *in periculo mortis*?" The question, he explains, more especially regards "poor, simple people, whom the

priest may visit on his rounds—people who, without difficulty, elicit acts of the theological virtues, who trust in God and wish to save their souls, but who think they have been baptized, and, accordingly, if it were mentioned to them, are too simple to see any need of having the ceremony repeated. Further, if distinctive Catholic doctrine were proposed, one foresees they are not prepared to receive it explicitly, although they implicitly elicit faith in it by saying they *believe in God and in all that He has said.*”

The writer next states his experience and his practice. Old people he frequently found most willing to make acts of faith, hope, charity, and contrition. To such, from time to time, he has administered baptism and absolution conditionally, on the ground that one may risk the sacraments in extreme cases for the good of souls, and that the distinct teaching of theology seems favourable to his views. He instances Gury (n. 230), who says, “*aliqui tamen dicunt sufficere voluntatem Baptismi implicitam, qualis esset in eo, qui haberet voluntatem peragendi omnia ad salutem necessaria.*” But, our correspondent adds, he has found other priests differing from himself on this matter, both in theory and in practice.

Taking the circumstances to exist as stated, and speaking generally, we think the Sacraments should *per se* be administered. At the same time particular cases are so different from each other, and anyone may be surrounded with so much intricacy, that large demands on the priest's caution and judgment become necessary at the outset. While deciding as best not to press the obligation of external communion with the Catholic Church on the dying man, he should be careful that neither his words nor his acts, however unintentionally, convey to anyone the denial of such an obligation, or his personal willingness to throw it to one side in circumstances in which the Church would expect him to declare and uphold it. While secure in his right to speak freely on spiritual matters to non-Catholics who are disposed to listen, he must be careful not to incur the suspicion of taking an unfair advantage of dying Protestants, and thereby become the cause of hostility from their body against the Catholic priesthood. Most of all, while endeavouring to save a poor soul, he must not forget his high responsibility as minister and sacred custodian of the Sacraments.

Such are the general precautions one should observe before attempting to open the channels of grace. It is

their application to particular cases that perplexes. For, even after limiting our inquiry to *bona fide* non-Catholics in danger of death, or practically to the members of Christian sects, who believe the necessary mysteries, are presumably sincere, but not likely to renounce the communion in which they have lived, if the motives for so doing were carefully put forward, there still remains a variety of hypotheses differing in many important respects. The sufferer may have the use of his senses on the one hand, or on the other be *sensibus destitutus*. Again, in the latter case insensibility, real or apparent, may follow the acts of faith, hope, charity and contrition, or have supervened before the priest's arrival. In one case, too, death will for certain result from the attack; in another there is only grave danger. Lastly, there may or may not be witnesses of what occurs between the sick man and the minister of God's bounty.

This presence of bystanders makes it necessary to pay special attention to the first and second precaution mentioned above. It has no bearing *per se* on what constitutes the priest's greatest anxiety, the probability of valid sacraments. Leaving them to individual prudence, how by open or secret action, by explaining his position or by silence, the other inconveniences are best avoided, let us examine how far a priest can satisfy himself that he is not wrongfully wasting the sacred fountains on an utterly barren soil, even after all extrinsic difficulties have been overcome.

His fundamental fear is as to whether a sufficient intention of receiving the Sacraments may be presumed. The habitual intention is enough for him. But then, are these probable grounds on which to argue its existence? If he could point to strong reasons for holding that an *explicit* actual intention had gone before, the difficulty would to a large extent vanish. This, however, in many instances, cannot be expected. In the majority of cases an habitual intention, if it exists, is only the outcome of an *implicit act*, and does not therefore exist, unless so far as the intention of receiving a particular sacrament was *de facto implied* in some more general act or in some course of conduct. Thus, in a Catholic, the general desire of living or even dying like a Christian, implies an intention of receiving extreme unction in the last conflict or its danger, but no such intention of taking orders at any period of his human career. Hence the intention of

receiving one sacrament may be implied without the desire of another being contained at all or to the same extent in one's conduct; and undoubtedly some allowance must also be made for different classes of persons and different religious beliefs.

Still, with all this before us, the will to die a Christian death, or an act of sorrow for sin, in a Protestant, would seem to contain a general desire of doing everything necessary for salvation, and in consequence to imply the intention of receiving baptism, if not already valid, at the supreme moment of danger. At least the necessary intention is probably present and combined, as may be presumed, with attrition for actual mortal sins, this disposition will sufficiently prepare the way for conditional regeneration. Something more, however, is required before administering the Sacrament of penance even *sub conditione*. Here we must endeavour to secure the *quasi-materia* by eliciting contrition and confession in some way *in ordine ad sacramentum*. How is all this done?

If the sufferer be not *sensibus destitutus*, the priest will at least make sure that he knows the necessary mysteries, since it is taken for granted that to speak of joining the Catholic Church might seriously imperil salvation at the present crisis. In the next place acts of the theological virtues are elicited and every effort made to secure perfect contrition. This done, the Sacrament of baptism is administered conditionally, if there be a solid doubt about its former validity and the patient gives free consent. In the absence of his permission it might be very difficult to apply the matter without provoking formal opposition or at least a strong feeling of anger. With such a prospect before him the priest will consider it best to omit baptism altogether and proceed at once to dispose the person for conditional absolution. Of course those who have been re-baptized are similarly prepared.

In many cases the Sacrament of penance cannot be explicitly put forward. Whenever this is so, the confessor will be careful to ask for a declaration of sinfulness before God and *himself*, and an expression of desire to benefit, as far as possible, by *his* aid and resources, in removing the load of guilt and securing eternal life. So much is not difficult of attainment by way of sacramental and dolorous confession, and it certainly suffices to justify the priest, on the score of dispositions, in giving conditional absolution. It will only remain for him to accustom the poor man to the usual ejaculations.

Sensibus destituti are now to be considered. Like the others, they receive conditional baptism in case of doubt; but are they also to be absolved? Yes, *sub conditione*, because we may presume the probable existence of internal sorrow for sin; and in the absence of a stronger confession, the past life and present state of the sufferer may, according to some, amount to a declaration of sinfulness and a manifestation of desire to avail of every necessary means on an occasion of such danger. But more than this, the dying man may, at least for a moment, understand his condition, possibly even his surroundings, and show his yearning for spiritual help, from anyone and everyone by his bedside, more especially from the minister of religion, through some outward sign that escapes notice or is not understood. There is some hope for such confession; and while Catholics, who lead bad lives, are absolved conditionally in similar straits, it would seem unreasonable to exclude non-Catholics from this powerful mercy.

Is any further aid of a Sacramental kind possible? We can see no insurmountable obstacle to prevent the conditional administration of extreme unction, if the *sensibus destitutus* be alone with the priest, and the latter feel certain the man will not recover. The necessary dispositions for a fruitful reception of this sacrament are much more secure in the case than for penance; and accordingly it may be the cause of sanctifying grace when, without it, the sinner would be lost. If the person were likely to recover, or other non-Catholics were present, the priest, in most cases, should be deterred by the reasons already enumerated from administering this sacrament.

This concludes what we have to say on the important subject suggested by our correspondent. It only remains to state that everything here written is to be understood in the light of the question proposed to us for explanation.

P. O'D.

II.

To the questions raised by our esteemed Correspondent in reference to the Sacrifice of the Mass we beg to give the following answers:—

1. The Sacrifice of the Mass was not offered as a Sacrifice of *mere application* till after the Sacrifice of the

Cross. The Sacrifice of the Last Supper, as all the other actions of our Saviour's mortal life, had attached to it an excellence and meritorious efficacy that were independent of that of the Cross. Thus it is clear that the Sacrifice of the Mass differs from the Sacrifice of the Last Supper in this, that whereas the latter had both a meritorious and applicatory efficacy, the former, at least as far as we are concerned, possesses only an efficacy to apply the merits of the Cross.

2. The second question, as we understand it, includes two, which must be clearly distinguished in order to avoid any confusion in the answer. (a) Why did our Saviour offer Sacrifice under the appearance of bread and wine? (b) Why did He select the night before His passion as the time of its institution?

(a) There were many reasons why Christ should offer Sacrifice under the appearance of bread and wine; the principal however is that set forth in the words of the Council of Trent, referred to by our Correspondent, viz:—that He might perform His chief sacerdotal function, which is the oblation of Sacrifice, according to the rite of Melchisedech, and thus be a Priest according to his order in fulfilment of the words of prophecy.

(b) It was most natural, that our Divine Lord should have reserved the institution of the Sacrifice of the Mass till the night before His Passion; for, as it was to be His greatest Gift and Legacy of love to men, it was right that its institution should be surrounded with all that solemnity which the circumstances of the last evening of His mortal life were calculated to impart. T. G.

LITURGY.

I.

Offerings at Corpse-houses, how are they to be understood as Honoraria?

Do the Offerings at corpse-houses involve the obligation of saying Mass for the departed soul? and if so, are there as many Masses to be said as there are authorized Honoraria comprised in the Offerings?

Whether there is an obligation on every priest who attends at the funeral where the Offerings are made, to say Mass for the departed soul, depends on the under-

standing between the donors and the priests. The alms may be given for the Office, funeral Mass, and attendance at the funeral, without any further obligation. The occasion is availed of by the people to contribute to the support of their pastors. The custom of the priests of the diocese, which is of course known to and sanctioned by the bishop, is the best interpretation of the understanding between priests and people as to the object of these Offerings.

It is, we believe, quite certain that a priest is not bound to say as many Masses for the departed soul, as there are *Honoraria* measured by the recognised diocesan tax, in the share he has received of the Offerings.

II.

Is Alleluia added to versicle of B. Virgin in paschal time ?

Kindly say should the Alleluia be added in paschal time to the versicle and response of the B. Virgin when sung at Benediction of the Blessed Sacrament ?

SUBSCRIBER.

Consult I. E. RECORD, 3rd series, vol. ii., page 551 Sept. 1881), where we have treated this question.

III.

When the 9th Lesson of a Commemorated Feast is omitted.

Please state what is the rule for the omission of the 9th Lesson when a feast is commemorated, *ex. gr.* St. Valentine on 14th February, and St. Paul on the 15th.

E. K.

The 9th Lesson of a commemorated feast is read except, 1°, on Sundays which have a 9th responsorium ; 2°, when the Homily of the Sunday, Feria, or Vigil is to be read ; 3°, when the office has only three Lessons, as in the Octave of Easter or Pentecost ; 4°, within the Octave of Corpus Christi, when the office is *de infra Octavam* or *de dominica infra Octavam* ; 5°, when the Lesson of the Simple Feast is not special and historical ; 6°, on doubles of the first class.

The 5th cause explains why the 9th Lesson was not of St. Valentine ; and the omission in the case of St. Paul, the first hermit, comes under the first exception.

IV.

Decrees relating to the New Votive Offices.

It was decided by the S. R. C. on the 23rd of May, 1835, in *una* NAMURCEM, that a Votive Office granted as

a privilege for a *dies non impedita*, and consequently one which a Priest would be free to substitute for the Office of the day, ceases to be a matter of choice and becomes obligatory, if by order of the Bishop it is assigned in the *Ordo recitandi Officii* to the *dies non impedita*.

On the 5th of last July, 1884, the Congregation was questioned as to the bearing of this decree on the New Votive Offices; and they replied that the New Votive Offices will be obligatory for choral recitation if once formally adopted as a substitute for the Ferials and Simples by the Choir with the approbation of the Bishop; but that for private recitation the Priest will be free to choose between the Votives and Ferials or Simples.

This last answer suggested another inquiry, whether the private recitation even of Votive Offices formerly granted was included in the decree of 1835. And this point the Congregation decides in the decree we quote, declaring that the private recitation was included—and that the case of the New Votive Offices, in regard to which freedom of choice is allowed, is special and peculiar.

* The Congregation also decides in the second decree we quote, that the Compiler of the *Ordo recitandi Officii* may add a special direction on *dies non impeditae*, reminding the Priests of their privilege of choosing one of the New Votive Office.

R. D. Josephus Maria Sciandra, hodiernus Episcopus Aquen.
S. R. Congregationi insequentia dubia pro opportuna solutione humillime subiecit :

Ex decreto ipsius S. Congregationis diei 13 Maii 1835 in una NAMURCEN, ad X, recitatio libera alicujus officii ad libitum fit obligatoria, quum jussu Ordinarii illud affixum fuerit diei non impedito in Kalendario diocesano. Idipsum confirmari videtur decreto Urbis et Orbis, nuperrime edito die 5 Julii vertentis anni quoad choralem recitationem; quum post capitularem Officiorum electionem semel pro semper factam, et ab Ordinario approbatam, eorundum recitatio fit obligatoria. E contra quoad privatam recitationem singulis e clero licet pro lubito Officium feriae vel Officium votivum ejus diei recitare. Hinc quaeritur :

Dubium I. Utrum libera electio quoad privatam recitationem concessa coarctetur solummodo ad *Officia ad libitum* in decreto 5 Julii citato contenta. ideoque pro Officiis antecedentibus *ad libitum*, servandum sit decretum diei 26 Maii 1835 ?

Dubium II. Utrum in redigendo ordine annuali divini Officii debeant necne duo Officia, feriale et alterum votivum *ad libitum* adnotari quoties privata alterutrius recitatio singulorum arbitrio relinquitur ?

Et sacra eadem Congregatio ad relationem infrascripti Secretarii, omnibus mature perpensis, ita rescribendum censuit.

Ad. I. Affirmative.

Ad. II. Redacto ordine divini officii more consueto, juxta rubricas, addi poterit rubrica particularis officii votivi currentis diei.

Atque ita rescripsit et servari mandavit die 7 Septembris 1883.

LAURENTIUS SALVATI, S.R.C., Secret.

V.

Is the Antiphon of Blessed Virgin always said twice in the Office?

When a person recites privately the whole of the Divine Office without a break, must he add the Antiphon of the Blessed Virgin after None, before commencing Vespers; or is it sufficient to say it only after Compline? Briefly, *in casu* must he recite the Antiphon twice or only once? SCOTUS.

We are of opinion that, in the case stated, the Antiphon should be said only once—namely, at the end of Compline. The Antiphon is to be said after Compline, and also after Lauds, or the first hour after Lauds at which one *suspends* the reading of the Private Office; consequently this second part of the rubric supposes such a break or suspension.

The words of the rubric are: “Dicuntur extra chorum tantum in fine Completorii, et in fine Matutini, dictis Laudibus, si tunc terminandum est Officium; alioquin, si alia subsequatur Hora, in fine ultimae Horae.” (*Rub. Gen. Breviarii Tit. xxxvi.*)

VI.

Should the Celebrant at Mass kiss the Altar-Stone?

In a portable altar, where nothing is consecrated but the mere altar-stone, is the priest bound to kiss the altar-stone every time the rubrics require the celebrant to kiss the altar during mass; or is it sufficient to kiss the edge of the altar-frame or table? C. C.

We think it is sufficient to kiss the table of the altar. The *Altare* so often mentioned in this section of the rubrics (*Tit. iv., n. 1, Ritus Celebrandi Missam*) plainly means the table of the altar. The celebrant is directed to ascend to the middle of the altar (*Altare*); to lay the points of his fingers when joined on the altar (*Altare*); to lay his extended hands on the altar (*Altare*); and to kiss the altar at the middle. It is in the same sense the word is used throughout this section of the rubrics (*Tit. iv., n. 1*), and this is to signify the table of the altar.

CORRESPONDENCE.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

DEAR VERY REV SIR,—Shall I be thought too bold, if I venture to give expression to a wish, which I know is shared by others, that the I. E. RECORD should be again enlarged? This admirable Periodical, after fighting its way spite of difficulties and reverses, still, with onward progress, and without pretensions, during many years, has now at length gained for itself a foremost position in Ecclesiastical and Theological literature amongst English-speaking Catholics. Still it has not yet reached that perfection which we may well hope for it, nor has it attained what we should reckon on as its normal growth. There ought surely to be no reason why the RECORD should not eventually equal or rival any of the theological reviews in foreign countries. But, this, of course, cannot be achieved all at once: and ever and anon there is need to put forth fresh efforts. Has not the time arrived for something like a fresh departure? And would not the next year 1886—a year of universal grace and jubilee—when, moreover, the RECORD will have attained its majority, be a seasonable opportunity? I am well aware there may be difficulties in the way. Without a still larger circulation it may be very inconvenient, perhaps impossible, to enlarge the RECORD, without at the same time raising its price: and to do this would, I am inclined to think, be a hindrance to its popularity. But all this is a matter of consideration for the responsible authorities? But why should not the circulation be largely increased? The RECORD occupies for the most part a ground of its own: it is the only organ in these countries proper for the discussion of many questions of most special interest to priests and theologians. That such an organ is imperatively required in order to raise the general tone of theological knowledge and culture, and to foster habits and taste for study amongst our ecclesiastics, no one, I think, will deny. Such an organ should be in every way adequate to the needs required. This from what I can gather is hardly the case with the RECORD as it is at present: from its too contracted size, articles may have to be crowded out or long delayed; and sufficient space can be ill afforded for the treatment of questions which may occasionally demand a fuller development. At the same time there is not room in these countries for more than one such organ, and it would be most unwise to attempt another. The RECORD is in long and honoured possession; and is under the best and most able management. For myself I have long desired to see it the one recognized Theological organ in its own special line, for ecclesiastics of the United Kingdom of Great Britain and Ireland, and of the far off Colonies, which all priests, whether Irish, Scotch or English, whether secular or regular,

should look upon as their own. And I have rejoiced to see, especially of late, various contributions to its pages by distinguished English priests. It seems, and more's the pity, that for the present at least political union between English and Irish Catholics is unattainable. But this cannot be said with regard to Theology. Here we can all find union and common ground: and of this, as an Englishman, I must be allowed to give my own experience. For several years I have offered from time to time my humble contributions to the pages of the I. E. RECORD, and I have uniformly received at the hands of three successive Editors the greatest kindness and encouragement. Its readers must have, moreover, remarked the very striking impartiality that has been evinced in the treatment of certain subjects, wherein some national bias might have been shown.

All fair and unprejudiced English and Scotch Catholics, so far from any thoughts of jealousy, must rejoice that the I. E. RECORD is published under the immediate management of the great College of St. Patrick's, Maynooth, so long eminent for Theological Science, the largest Ecclesiastical Seminary, I believe, in the world, and certainly *facile princeps* in these countries—and the more so, because so large a proportion both of the faithful and of the priests in England, Scotland, and the Colonies, are of Irish origin. I have offered the above remarks, because it seems to me that for the RECORD to obtain its full normal development, and to do the common good it ought, it should receive the united support of all our priests and ecclesiastics in Great Britain and Ireland—and because I know that not only here but also in Ireland there is a number of them by whom it is rarely seen. I trust then that all its present subscribers, who have the interest of Theological Science at heart, will do all they can in their various neighbourhoods, to make it known, thereby to increase its circulation, and also to enlist the co-operation of such as, according to their several circumstances and opportunities, might contribute with profit to its pages. In this way the desire I expressed for its enlargement will, I hope, be realised.—Your's,

THOMAS LIVIUS, C.S.S.R.

[We are much obliged to Father Livius for the kindly and encouraging tone of his letter. We have received within the year many similar communications, our Correspondents suggesting various means of meeting the additional expense consequent on the enlargement. Several recommended that the RECORD be increased by half its present size, and that the subscription be raised from Ten to Twelve Shillings. We are most reluctant to raise the amount of the annual subscription, and our publisher authorizes us to announce that the suggestion of enlarging the RECORD by half its present size (32 pages) will be adopted in January next to meet the wishes of our friends, the subscription remaining as hitherto at Ten Shillings *per annum*.—ED. I. E. R.]

DOCUMENTS.

CONGREGATION OF THE COUNCIL.

SUMMARY.

A parish priest charged with two parishes is bound to celebrate two Masses, one for each parish, on Sundays and holidays of obligation.

This obligation does not *per se* bring with it the privilege of duplicating.

S. C. Concilii, Die 3 Februarii 1884.

Quum Archiepiscopus Lancianensis remitteret ad S. Cong. Concilii relationem status suae Dioecesis, sequentes etiam proposuit quaesita resolvenda :

I. Utrum parochi duas aut plures regentes paroecias, ad duas vel plures Missas pro populo celebrandas diebus in festis teneantur per se aut per alios?

II. Et quatenus per se teneantur, an ipsis ad tramites Constitutionis Benedicti XIV.—*Declarasti Nobis*—binandi facultas fieri posset.

III. An reditus cujusdam Canonatus, juris patronatus laicalis et familiae, qui libellas quotannis sexaginta et octo vix attingat, quod tantummodo adhuc beneficii naturam induat, posset haberi tanquam sufficiens titulus ad sacros et majores ordines suscipiendos?

IV. Quod si non sufficiat, utrum augeri queat bonis patrimonialibus vel aliunde et quousque?

Quibus dubiis S. Congregatio Concilii praedicta respondit :

Ad I. Parochum, prout in casu, teneri sive per se sive per alium ad tot Missas celebrandas, quot parochias regit.

Ad II. Non esse locum facultati missas iterandi, nisi cum ex Cleri deficientia, alius Sacerdos non adsit, qui parochi loco celebrare et applicare possit.

Ad. III. Negative.

Ad IV. Affirmative usque ad taxae synodalis complementum.

CONGREGATION OF THE HOLY OFFICE.

SUMMARY.

In parts of Canada, where there were only missions visited occasionally by a priest, and no canonically formed parishes, the priests had the custom of formally announcing to the people once a year the decree *Tametsi* of the Council of Trent. The Holy Office declares this to be a sufficient promulgation ; but adds that, as it is impossible for the priest in those new missions to assist at all the marriages, the presence of the two witnesses will suffice for

validity, the contracting parties being obliged moreover to receive as soon as possible the nuptial benediction, and to enter their marriage in the marriage register of the mission.

DUBIUM QUOAD PROMULGATIONEM DECRETI "TAMETSI" IN MISSIONIBUS ET QUASI PAROCHIIS AMERICÆ.

Die 14 Novembris, 1883.

Episcopus S. Hyacinthi in regione Canadensi S. Congregationi Inquisit. exponit, quod nunc oriuntur dubia de validitate quorundam matrimoniorum, sine solemnitate a decreto *Tametsi* Concilii Tridentini requisita, contractorum in missionibus vel quasi parochiis hujusce Dioecesis. Ante enim annum 1872 multa loca Dioecesis S. Hyacinthi, *Cantons* nuncupata, non erant adhuc in parochias canonice divisa. His in locis aderant: 1. Missiones proprie dictae, scilicet sine sacerdote residente; sed a missionario, ad hoc delegato, temporibus tum fixis, tum inaequalibus, per annum visitatae. 2. Quasi parochiae, per quas intelligi debet territorium quod, quoad speciem externam, plus vel minus accedebat ad similitudinem parochiae, prout habens ecclesiam, prope quam sacerdos ordinarie vel saltem principaliter residebat, et limites ab Episcopo designatos. Attamen in his missionibus et quasi parochiis, sicut et in parochiis, proprie dictis, decretum *Tametsi* Concilii Tridentini fuerat quotannis publicatum a sacerdotibus earum curae praepositis. Ad hunc enim finem mandaverant Episcopi Provinciae Quebecensis: quum Tridentinum per solemne decretum *cap. 1, sess. 24 de ref. matrim.* cujus initium *Tametsi*, nulla atque irrita declaraverit matrimonia, quae fiunt extra praesentiam parochi et testimoniorum, quorum numerum determinat, maximi momenti esse censemus quod parochi et missionarii certiore reddant populum de ejusmodi salutari decreto. Quamobrem volumus ut legant idem decretum in concione primae dominicae post Epiphaniam. Opportunior ejusmodi decreti publicatio fit in parocciis vel missionibus nuper constitutis, juxta indolem praescriptionis ejusdem decreti et responsum S. Congregationis de Propaganda Fide ad Episcopum Quebecensem diei 16 Octobris 1824. Quum autem dubitetur utrum valide publicari possit Decretum Tridentinum extra parochias, proprie dictas, a S. Cong. humiliter petitur declarari: "An valida fuerit promulgatio Decreti *Tametsi* Conc. Tridentini in missionibus et quasi parochiis supra dictis?"

Cui dubio Emi Patres inquisitores generales praedicta die responsum dederunt:

"*Juxta exposita affirmative et ad mentem*: mens est quod in locis, ubi haberi nequeat parochus, validum est matrimonium celebratum coram duobus testibus; contrahentibus tamen onus inest recipiendi, quamprimum id fieri possit, benedictionem nuptialem, et curandi ut eorundem matrimonium inscribatur in sacramentali registro missionis, vel proximioris Ecclesiae, cui subjiciuntur."

In audientia ejusdem diei SS. Pater resolutionem hanc ratam habuit.

DECREE REGARDING MASS TO BE SAID TO GAIN INDULGENCE
OF THE PRIVILEGED ALTAR.

SUMMARY.

The Requiem Mass need not be said on Semi-doubles or Simples in Churches where the Quarant' Ore, or other great solemnity is being held.

DUBIUM QUOAD ALTARIA PRIVILEGIATA PROPOSITUM A P. GENERALI
ORDINIS PRÆMONSTRATENSIS.

Beatissime Pater,

Sigismundus Stary Abbas Pragensis et Generalis Ordinis Præmonstratensis, ad pedes Sanctitatis Vestræ provolutus humillime expostulat :

1° Utrum, stante rubrica Missalis Præmonstratensis, quæ prohibet Missas privatas de Requite et votivas infra omnes octavas primæ classis, religiosi Præmonstratensis Ordinis, possint gaudere favore Altaris privilegiati quando infra hujusmodi octavas primæ classis, non occurrente festo duplici, celebrent de octava.

2° Quatenus negative, suppliciter petit orator, ut concedatur ipsis hoc privilegium.

Sacra Congregatio Indulgentiis sacrisque Reliquiis præposita die 24 Julii 1885 propositis dubiis respondit :

Ad 1^m *Affirmative juxta exposita et detur Decretum die 11 Aprilis 1864 ;*

Ad 2^m Provisum in primo.

Datum Romæ ex Secretaria ejusdem Sac. Congregationis eadem die 24 Julii 1885.

I. B. Card. FRANZELIN, *Praefectus.*
FRANCISCUS DELLA VOLPE, *Secretarius.*

The Decree of the 11th April, 1884, referred to above is as follows :—

URBIS ET ORBIS.—Utrum sacerdos celebrans in altari privilegiato, legendo Missam de festo semiduplici, simplici, votivam, vel de feria non privilegiata, sive ratione expositionis SS. Sacramenti, sive Stationis ecclesiæ, vel alterius solemnitatis, aut ex rationabili motivo, fruatur privilegio, ac si legeret Missam *de Requite* per rubricas eo sic permissam ?

R.—Affirmative, deletis tamen verbis *aut ex rationabili motivo*, et facto verbo cum Sanctissimo.

Sanctitas Sua EE. PP. sententiam benigne confirmavit.

NOTICES OF BOOKS.

Some Notes on Popular Preaching: By Rev. ARTHUR RYAN.
M. H. GILL & SON, Dublin.

THIS is a small but very useful book. It does not pretend to be a treatise on the wide subject of Popular Preaching; it is only a collection of Notes which give the substance of a course of lectures delivered by Father Ryan to his class of Sacred Eloquence in St. Patrick's College, Thurles. As a summary, it is clear, forcible, and very suggestive, and cannot fail to be a valuable little hand-book in the class-room.

Within his forty-four pages Fr. Ryan deals with the importance of Preaching, the necessity of preparation for the Sunday Sermon, and the qualities which make our Preaching instructive, attractive, and practical. Though little that is new can be expected on this topic so often and so exhaustively treated, yet Fr. Ryan has so thoroughly mastered his subject as to expound it with a vigour and freshness of expression, and a copiousness of happy illustration, that make his book delightful as well as instructive reading. Here is one example taken almost at random. He is meeting the objection raised by some priests who say that they have "no time" to prepare their instructions.

"Objection No. 3.—'I have no time.'

"*Answer.*—This is the devil's favourite pretext, and is all the more apt to blind, seeing that it is woven out of the very multiplicity of priestly duties. It vanishes when preaching takes, in the sacred ministry, the place assigned it by the saints and by our Lord Himself.

"If the mission of an apostle is to preach the Gospel, shall the excuse stand that he has had no time? Or would a priest say, he had no time to answer a sick call? no time to hear confessions? no time to say Mass? When he can say he has no time for these, then, and only then, may he add: 'I have no time to preach, no time to prepare my sermons.' Besides, is it the hard-worked man that pleads, 'I have no time?' No; this is the idler's excuse: the excuse of the man that puts off from day to day all preparation for his preaching.

"The priest that regularly begins Sunday's sermons on the previous Monday; or, better still, following the advice to pastoral preachers of the eloquent and saintly Monsignor Dupanloup, that begins three weeks before, so as always to have on hand and in mind three sermons in three stages of development; that man will not plead, 'I have no time.'

"It is from the hurried, God-forsaken confusion of Saturday-night preparation that we hear the idler's cry 'I have no time.' It might, alas, be well if he had no eternity!"

The book has the *imprimatur* of the Archbishops of Dublin and Cashel, and the printer's work has been well done by Messrs. Gill & Son.

The Life of Father Luke Wadding. By the Rev. J. A. O'SHEA, O.S.F. M. H. GILL & SON.

THE Rev. J. O'Shea, O.S.F., has done an excellent work in rescuing from comparative oblivion the memory of one whose life is so full of interest, especially to Irishmen and to the members of that Order of which he was so bright an ornament. Luke Wadding was born in Waterford towards the close of the sixteenth century, and happened to live at a time when the penal laws of Queen Elizabeth pressed with cruel severity on the Catholics of Ireland. Therefore it was, that he left his native country at the early age of sixteen, and sought in Spain a more friendly home, where the circumstance of his religion should prove no obstacle to preferment and social distinction. After some time he determined to become a priest and a member of the Franciscan Order, that he might devote to the salvation of souls those abilities with which God had very liberally endowed him. From the time of his ordination we find him applying himself to the duties of his high mission, with all the wonderful energy of body and mind of which he was the master. So effectively did he labour as confessor, preacher, and student of the Sacred Sciences, that he soon came to be ranked among the very first of the great ecclesiastics whose number and learning made Spain at this time pre-eminent among the nations of Europe. At one time we find him the zealous missionary priest in Liria, winning both by word and example hundreds of souls to Christ; at another, the learned professor in the University of Salamanca, discussing the most abstruse questions of theology; again, appointed consulting Theologian to the embassy sent by the Spanish Court to Rome to hasten the settlement of the question of the Immaculate Conception; and finally, establishing in Rome the College of St. Isidore, which still remains a striking monument of its founder and first president. He ever retained a passionate love for his native land, and felt acutely the wrongs she was forced to suffer. When the Confederation of Kilkenny was established, Father Luke Wadding was appointed to plead its cause in Rome, and it was chiefly owing to his representations, that Renuccini was sent to Ireland as papal envoy. Moreover, he collected through Italy about £10,000, with which he bought arms for his countrymen.

The number of books which he either wrote or corrected is almost incredible. It will be sufficient to mention two of his principal works, viz. :—the celebrated *Acta Conceptionis Immaculatæ*, and the *Annals of the Franciscan Order* in eight volumes, on the latter of which he spent twenty-six years. The life of such a man deserves to be better known, and we have no doubt that the present biography, written in a clear and easy style, will much contribute to assign to Father Luke Wadding the place which he merits among the great ones of the past. T. G.

Art M'Morrough O'Cavanagh, Prince of Leinster. By M. L. O'BYRNE
M. H. GILL & SON.

THIS is an historical romance of the fourteenth century, and forms a fitting sequel to the other works of Miss O'Byrne. She has been singularly happy in the selection of the period from which are taken the outlines of the description ; for it would be difficult to find in Irish History one so replete with stirring incidents, and so suited to the genius of the historical novelist, as those forty years during which Art M'Morrough O'Cavanagh figured as the avenger of his own and his country's wrongs, and the victorious rival of the pomp-loving Richard II. of England. The plots are well worked out, and the different characters are faithfully described according to age, country, and condition of life. We feel confident that the book will meet with a wide circulation, especially among those who share the national spirit of the writer, who has already done much to make the history of her country popular.

T. G.

Life of Anne Catherine Emmerich. From the German of Very
Rev. K. E. SCHMOGER, C.SS.R. Two Vols. New York :
PUSTET & Co.

THE holy religious to whom we are introduced in these two volumes was an ecstasica and stigmatiza, had visions and revelations from infancy, was gifted with a knowledge of the past, the future, and the distant present, could recognize blessed objects by touch, and led a life of suffering which is truly marvellous in many other ways.

The story of this life is now before us in an English translation, from which Christians of all classes may derive great profit. The wonders for which Sister Emmerich was remarkable are related not from hearsay or from stories preserved by friendly tradition. The account is drawn rather from the authentic acts of the various commissions by which her case was investigated. The fact that these commissions were composed of learned men of highest character and of all shades of belief—theologians, doctors, businessmen, lawyers, Christians and infidels—this is sufficient guarantee of the truth of the wondrous phenomena which are recorded of this holy woman.

Lessons in Domestic Science. By F. M. GALLAGHER. Dublin :
BROWNE & NOLAN.

WE can recommend this book as containing a vast amount of useful information. If the principles of domestic economy were better known and more frequently reduced to practice, there should certainly be much less misery in the world, and much less sin also. Miss Gallagher has done her work well ; her book will be found useful, not only in the school-room, but also for women and even for men of all stations in the world.

THE IRISH ECCLESIASTICAL RECORD.

DECEMBER, 1885.

FRAGMENTS OF A BROKEN TOUR.—No. II.

CHARMING is the railway run from Luxemburg to Metz. The Mosel which we left at Trier we soon reach once more, and a pleasant guide and companion we find it to be, even while we are rushing along on our noisy way with a speed which tries, but happily in vain, to carry us beyond its banks. Perhaps it is the charm of novelty that makes this beautiful river so attractive to us, and perhaps our very speed that makes us more resolved to enjoy its varied charms which are snatched away almost as quickly as they are displayed. The Mosel winds through very varying scenery; at times the banks are closed in by heights which rise into the distant Vosges mountains; then they widen out until the river changes into a lake which reposes in the bosom of smiling meadows and rich corn fields; once more they narrow, as though intent upon progress, and hurry on the waters in more orderly channels. But the Mosel will have its own way in spite of directing and impatient banks, and meanders in fitful turns or in graceful curves, as though it loved the country through which it flows, and lingers on perchance as knowing it will too soon lose its identity, and at Coblenz become only an undistinguishable portion of the more renowned Rhine.

But now we are tracing it upwards towards Epinal and its source in those Vosges mountains which here look down, as with paternal eyes, upon the bright and laughing waters which are hastening towards a noisy world, where they will be fouled and lost sight of in a river that knows not their home.

The Mosel though at places wide, seems generally to

be shallow ; so that the waters owe little of their attraction to the life that floats upon them. Many a polluted river nearer home would laugh to scorn the small craft that, few and far between, dot its waters, at least up as high as we are here above its mouth ; and even at its lowest and fullest it now scarcely enables a steamboat to carry impatient tourists from Coblenz to Trier ; so it is in such like respects a very insignificant river, and must not think of proclaiming its tonnage, or claiming a distinguished place in commercial statistics. Yet has it a high name in history, and can claim Trier and Metz, with their ancient pedigrees, as its children, and so can hold its head high when history is quoted, be that history ancient, mediæval or modern, from the real Cæsar of classic days down to him who in our own time assumed that title of honour, and lost the Mosel to the people who trusted in him.

So to the mental as to the physical eye the Mosel is a river of beauty, and binds with its silver cord Trier and Metz together ; and so our disjointed record brings us quite naturally from the former with its ancient renown, to the latter with its military glories fresh upon it. Thus it comes to pass that the flowing river seems to be the quiet resting-place, and the fortified cities the living and moving things. Our taste not being martial, our readers will happily be spared all records of wars, all plans of sieges, and all details of fortifications.

Full of these peaceful resolutions which nature here so beautiful and sylvan suggests, we reach Metz station, which of course is without the walls, and in a few minutes find ourselves passing through a fortified gateway, crossing drawbridges to other portals as fierce and grim as that by which we began our entrance. It puzzles us, for all is so ancient and yet so new, it is Chepstow, and Rhaglan, and Goodrich, all combined into one, all revived once more, but with seemingly a newer and fiercer life ; no mere dream of the past but a living reality, which makes itself felt even in an omnibus on its way from the station to the hotel. Somehow our civilian spirit seems rapidly passing away, and a strangely new one coming over us. There is something in the air, certainly plenty in our surroundings, to put away the peaceful thoughts that the beautiful Mosel had inspired, and so, with one brief interval, our sojourn at Metz was a military festival to us. If the Past spoke to us in its warlike characteristics, the Present was sufficiently loud tongued in its electric light. Nowhere have we seen

this youngest gift of heaven so bountifully bestowed ; no city do we know which is so perfectly illuminated. Metz—or rather its present possessors—understand and utilize alike the past and present, and combine most effectively strength with beauty ; its armour may thus be said to be of burnished steel damascened with gold and precious stones, so brilliant is the great stronghold which France lost to Germany, when on that memorable 28th of October, 1870, “three French marshals, sixty-six generals, six thousand officers, and one hundred and seventy-three thousand men surrendered as prisoners of war.” Metz, in truth, was not then what it is now. Its fortifications have more than doubled themselves, enclosing in their circuit fifteen miles and extending at their greatest distance not less than four miles beyond the city.

Of course we see nothing of this, even by the aid of the electric light, when we make our entrance ; and yet we feel it, and know that it is there : but when we take our first walk out through the pretty garden and wide portals of the Hotel de l'Europe, good fortune directs us across a broad military square, the Place d'Armes, to a street that somehow the electric light seems unable to brighten. Something too great for even its power rises high above it, which needs, to mark its vast outlines, the light which heaven more directly sends down from the bright stars which burn above. Before us stands a dark form, towering like a distant mountain and yet close at hand ; higher and higher it seems to rise, as though growing before us, and as we strain our eyes, and in truth our neck too, it stands aloft crowned with the stars which seem no higher than itself. What is it ? we have no guide, and all is silent ; what can it be, thus in the midst of houses and abutting on a common street, and yet having nothing in common with them ? What can it be but God's own House, reared by those who worked in faith, and had a consciousness of what was His due. After a while we get accustomed to the gloom that shrouds the heights above us ; shading our eyes from the electric glare, and throwing it, as it were, upon the Cathedral, its different features somewhat reveal their forms, and group themselves in our minds till we begin to read it ; but daylight is required to complete the lesson, and so we defer till to-morrow further investigation. Enough, however, has been seen to make the first and lasting impression. There are some others that rival it in dimensions ; but seen in that uncertain light, and reached

so unexpectedly, the first impression will not soon be forgotten which was made upon us by the glorious Cathedral of Metz.

We read that Metz Cathedral was in construction from the fourteenth to the sixteenth century ; but more precisely it may be said that the nave was completed in 1392, and the choir in 1546. It is 373 feet long, and its noble vaulted roof rises to the height of 141 feet. No wonder Murray puts a query after this record of its height, so far exceeding that of our English Cathedrals, where seventy feet is considered no mean altitude for the nave of Ely. But we must bear in mind the emphasis which French and German architects put upon height, and so we have Bourges in one country with 117 feet, and Cologne in the other towering above all to an elevation of 231 feet !

The length at Metz bears fair proportion to its height, being 373 feet, while its spire of open work (built in 1427) rises to an equal height, another 373 feet, springing from the cross, and unaccompanied by eastern or western towers. In 1830-5 it was completely restored, and nothing since has happened, save a slight and easily extinguished fire in the roof which occurred in 1877, when its new master, the venerable Emperor William, was present.

The exterior loses none of its grandeur in broad daylight, which says much for the majesty of its proportions, and their perfect grouping. The flying buttresses which bury each window in a deep recess, are so light and graceful, that they throw no gloom upon the spaces between, but seem rather to bring life and brightness.

The interior is very impressive ; there is a simplicity in its grandeur which implies anything but plainness ; for its ornamentation is a part of itself, and so never obtrudes itself as an addition. All is too solemn for mere decoration, even its glorious windows but tend to this end.

Though no Mass was going on while we were there—for it was nearly noon—we were unmolested by officials, and left to wander at our own good pleasure. At last we found some one who opened the Sacristy presses and showed us a very interesting collection of vestments, notably two complete sets, one presented by Charles the Great, and the other by Napoleon (great or little, we forget which). The former was remarkable for its exquisite and elaborate needle-work, the latter for its massive gold embroideries. Other sets connected with great or holy names were there, but these two impressed us most. Of course there are

other presses filled with silver and golden heads and busts, containing precious relics, rare crosiers and rich chalices—but in truth we have no love for such exhibitions, which remind us of museums and goldsmiths' shops, where the richness or rarity seems all in all, and the sanctity counts for nothing. If relics are to be treated and revered as such, surely the altars are the places where they should be preserved. A paid exhibition, with a curator jingling his keys and anxious only to re-lock his cupboard, tends but little, in ordinary mortals, to excite and invite to devotion. An ancient fortified city such as Metz must have narrow streets and lofty houses; for ground is too limited and too valuable to admit of any but the most necessary occupation. But its military character fortunately necessitates certain open spaces for the massing and drilling of troops; so we have not only a Place d'Armes but a grand Esplanade, with shady walks under lofty trees, gardens radiant with flowers, and fine buildings around, but not too close upon it, and a splendid broad walk overhanging one of the several arms by which the Mosel winds its way through Metz, and has home views across its bridges and river banks, and more distant ones to the heights which command the city, with fortifications that environ, and the forts that crown them, and which in their circuit of fifteen miles make Metz unapproachable, and so doubly impregnable within its embattled walls.

As we stroll leisurely along this pleasant walk, to repose and refresh ourselves under the trees, we observe several decorated officers approaching us, who soon are followed by others. We inquire if anything is going to take place, and are told that there is about to be a military massing, to translate literally which was said. Our minds are not enlightened, and so, ashamed to confess our ignorance, we wait to see the end; and very brilliant indeed was the scene that gradually formed itself before our eyes. More officers came, some of higher rank and still more extensively decorated; then came a very great man who was received with innumerable military salutes; we concluded that he was the greatest, as indeed he was until one or two equally great appeared; and so it went on—when will it end, we thought? At last came the real very great man, before whom all the great ones we have previously so revered, sunk into comparative obscurity, and so we concentrated our veneration upon him, who indeed in form and bearing was 'every inch a—well not a

king,' but the local chief, the Commandant of Metz. It does not look very great as we write it, and we feel disappointed accordingly, for we should like the reader to look at and feel as we did in the august Presence, which perhaps they might be inclined to do, did we give his name and titles and honours at full length. A military band soon appeared, took up its station, and played, as only a first-rate military band can play. Meanwhile the business of the day proceeded, which consisted simply in sundry generals interviewing the Commandant, and then carrying his instructions to their inferior officers—we were told that the military arrangements for the week were being made, what each regiment was to do, when and where, which with such a force as occupies Metz and its fortifications, must involve no little consideration in determining. It certainly was a brilliant scene, such as we had seldom set eyes upon before; and we rejoiced accordingly in our good fortune that brought us to the right place at the right time.

We leave somewhat reluctantly our Hotel de l'Europe, but ere we go we copy for further cogitation the following rather puzzling notice in English in the bedroom: "The price of lodgings are counted night by night, and the night counts: from eight o'clock in the morning till five in the afternoon of the next day, no matter at what hour travellers leave the hotel during these hours." While wandering amid the bright flower beds of the Esplanade we came upon a figure of a horse mounted, not by any rider, but itself upon a broad pedestal, and when a question was raised between us as to why it was there and what it recorded, it was jokingly answered—it is raised of course to the memory of Marshal Ney (neigh); a poor joke, but curiously emphasized a few minutes afterwards when opposite to the horse at the other end of the lawn stood the statue of Marshal Ney himself, with a record of some characteristic, and so flamboyant words of the "double-dyed traitor." No guide book tells the story of the horse, that of the Marshal needs no re-telling. A pleasant run of four hours takes us from Metz to Strassburg, carrying us in our way through Saarburg, and beneath the lofty cliff which overhangs the river Saar, high up whose side, hanging like a bird's nest against the face of the rock, is an old Roman Castle which the late King of Prussia restored as a chapel, wherein he buried the remains of his ancestor, that King John of Bohemia, whose cenotaph we saw at Luxemburg, and whose death at Crecy gave our

Princes of Wales their well-known crest and motto. The old line of rail no longer runs—at least for us—by Nancy to Strassburg, for the new frontier still leaves Nancy in France, and so our German way is by a new route which is indeed a shorter one. We have thus left Lothringen, and are now in the capital of Elsass; nevertheless we quarter ourselves in the Hotel de la Ville de Paris, which still reigns supreme among hotels in this German City.

However late one arrives at Strassburg it is simply impossible to go to bed without first visiting the cathedral, its whereabouts being obvious from almost every wide street, for the great spire towers far above everything. Its west front is a marvel by night and by day. There it stands, that wonderful elevation of 230 feet. What does that mean? Who that has visited York can have forgotten the west front of its renowned minster, with the two towers which enclose it? They rise to a height of 196 feet; so that Strassburg, without towers, stands thirty-four feet higher than the towers of York, and upon this rises a spire higher than the Great Pyramid, and 140 feet higher than St. Paul's. Age after age it gloried in being the highest spire in the world, as indeed it was, until, in our day, Sir Gilbert Scott built St. Nicholas, at Hamburg, with a spire of 471 feet, overtopping this by just three feet; and so Strassburg lost one of its ancient glories by this little measure.

But the west front is without a rival. It seems as though when the great front was reared, with all its wealth of windows and niches and storey upon storey, by the renowned Erwins of Steinback, father and son, the daughter Sabina, who inherited the family genius, and succeeded her two predecessors in the work, cast over it, in woman's fancy with exquisite taste, a veil of network in richest tracery. For so it is, the stone is carved into detached arcades and pillars, as sharp and clean as though the work of yesterday, though it has stood nearly five hundred years. And upon this rises the single spire, the one of two which Erwin designed, as his drawings, still preserved, show. It surely needs no companion, and, to our taste, seems all the nobler for its solitary grandeur.

For 260 years the nave was in building (1015-1275), for in those days great works grew, and were not run up. The choir is older, and dates from Charles the Great. Thus the Gothic nave leads up to the still more

massive Romanesque choir, as though to carry us through its own glory and the dim religious light that comes of richest glass, to those still more ancient days whose solemn symbols enshrine the Holy of Holies. But these are closed to us at this late hour, and have to be reserved for the next day. But when in the morning we revisit the cathedral, and would full fain dwell upon its glories, examining in detail its renowned features, and then trying to grasp all in one, and to fix the general effect in our mind, there comes a distraction which upsets, for a time at least, all these preconceived designs, and hurries our feet and thoughts altogether in another direction, carrying us with a crowd into the south transept to see the Great Clock in all its glory. It has a history and a long pedigree. In truth it is a very ancient clock, and like many other venerable things it more than once got out of order, broke down, and was silent and motionless. Then a clock-doctor took it in hand, and set it on its feet—perhaps we should say upon its hands—once more. Then again it collapsed, and was in a kind of trance for many years. Again it was taken in hand, examined, and its inside found to be hopelessly worn away. What was to be done? A learned Astronomer studied it for some ten or twenty years, and after this long cogitation and innumerable calculations—for the clock does almost everything which science can devise and Astronomy require—he set manfully to work, and in another period of equal duration—what we are tempted to call a *secular* period—put his thoughts into shape and his calculations into working order, and reproduced the clock as we now find it. The south transept is its shrine, and there is already a crowd of worshippers assembled when we arrive, but, being evidently tourists, and possibly liberal, we have a space cleared out for us in front and are fully instructed by an official who tells us everything *sotto voce*, that non-subscribers may not be instructed gratuitously.

The front is partly a kind of theatre (if one may so speak of what is in a cathedral) in which the small figures perform their parts of course in due order, being by clock-work; the rest reveals part of the complicated machinery which works out the comprehensive ALL which the clock does. The performance is, of course, the most attractive part, and brings the crowd; but the marvellous work is what the hands alone show, and which it would take far more than a year to follow and understand. So the greatness of the achievement in designing and constructing such

a clock is lost sight of in the puppet show. But this in itself is curious and worth a few words of description. In the first gallery an angel strikes the quarter upon a bell which he holds in his hand. Time, standing at his side, reverses an hour-glass every hour. Higher up, around a skeleton who strikes the hour as the glass is turned over, are grouped four figures representing boyhood, youth, manhood, and old age, who represent the four quarters, and so the growth of each hour, each coming forward when his own quarter strikes. Under this first gallery the symbolic deity of each day steps out of a niche, and retires when its day is over. Apollo on Sunday, Diana on Monday, and so on. In the highest niche, at noon, the twelve apostles in due order come out from one side, pass, and in passing, turn and do reverence to the Saviour, who stands in the midst, and blesses them as they move on and disappear at the other side.

But what is the strangest and most startling part of all occurs when this solemn procession is past and gone; a rustling draws our eyes to a cock perched upon the highest pinnacle of a side pillar that contains the weights of the clock, who flaps his wings, stretches his neck in the most orthodox fashion and crows lustily and most naturally, and thereby sorely tried our gravity and sense of decorum. All is now over and the audience is dismissed, for twelve o'clock is the closing hour, though this short interval of grace is allowed for such an exceptional function.

But, as we have said, this is really the least and simplest part of what the clock does. It is a complete planetarium, marking all the movements of the planets, the revolution of the earth, and of the moon, and of the sun; in truth it is a complete calendar, golden number, epact, Sunday letter, and variable feast, and not for one year only, for it regulates itself from year to year, and so adapts itself without any external help, save in the winding up (and even this we suspect it does for itself), following, or rather accompanying the seasons as they pass, and starting by its own action upon the new year when hands move which have been still for a year and never move again until the year is past.

Of course when the cathedral closed its doors upon us we sought a postern and climbed stairs (many), to reach at length the platform, where the unfinished tower comes to an end and its full-grown brother rises in single greatness. Here we pause, and refusing to climb the wide openwork of the wonderful spire, with its curious double staircase,

which makes the way up altogether independent of the way down, we enjoy from the broad and well-guarded platform a view over Strassburg and its surroundings far and near. Now this brought before our eyes the object which we had especially in view in coming hither, and when we descend we find our way by the mental map we formed on high, to the New University with which the German Emperor has tried, with many other thoughtful and kind devices, to win the affections of his newly-acquired—or rather restored—subjects. It is not every day that is given to us to see a New University, full-grown, that is, complete, with all its faculties housed in palaces, and pupils corresponding in numbers to the large and well-endowed staffs.

On how grand a scale this University has been planned and carried out in buildings, staff, and all that these imply, a few words and figures will suffice to show.

The former Academy was broken up in 1870 by the war, and was replaced by the New University, in December, 1871. From the summer of 1872 onwards, a body of forty-two professors constituted the staff. They began their work in May 1st of that year—a memorable day, as being the three hundred and fifth anniversary of the opening of the old Academy, which was founded in 1567 by *Stattmeister Johann Sturm von Sturmeck*, more than a century before Strassburg was seized in time of peace by Louis XIV.

According to the official Report, the new University Buildings were opened just a year ago, October 27th, 1884, with a staff of seventy-three ordinary and nineteen extraordinary professors, who, during the summer term, have conducted 242 courses of lectures and classes in the five faculties of Theology, Law and Political Sciences, Medicine, Philosophy, Natural Sciences and Mathematics.

The buildings are in two distinct groups, a walk of half an hour apart. Strassburg has grown since the war of 1870, and now, with its new fortifications, occupies an area three times as great as that of the old city. On a portion of the ground thus recovered from the site of the old fortifications stands the principal group, the Collegiate Palace, with, as its attendants, the four Institutes of Chemistry, Physics, Botany, and Pharmacy, with the Astronomical Observatory. Each in its own grounds, and worthy to be associated with the grand Collegiate Palace. The other six, in quite another part of the city, and grouped

around the Civil Hospital, consist of the three Institutes of Anatomy and Pathology, Physiological Chemistry, and Physiology; and the three Hospitals, Surgical Clinical, Clinical for Mental Disorders, and Maternity.

But what was the cost and what is the endowment? The Report says that, since the annexation, the sum devoted to the outfit of the University has amounted to sixteen millions francs (£640,000), and in addition the Library cost £71,400. The annual endowment for the maintenance of the University is £43,000, with an additional £6,000 a year for the Library; and all this in addition to endowments, &c., that belonged to the older institution. Side by side with the Laboratories and Hospitals attached to each special branch of the Natural and Medical Sciences, there exist the Seminaries appropriate to the other branches of learning, duly equipped for the purpose of initiating the student into the real work of his subject. As for the numbers, we read that at the beginning of the year 1884 the University counted 858 matriculated students, of whom but 266 were from Alsace-Lorraine, which indeed as yet is but partially won. We have left ourselves no space to dwell in detail upon the superb buildings and the central Collegiate Palace, or what we should call University Buildings, suffice to say that no expense has been spared in designing them for their several uses, and in carrying into effect such design. A visit to Strassburg would be well repaid to any one who has any portion of similar work in hand; for here are the last inventions and the most perfected arrangements illustrated in use.

And now we leave Strassburg, for Switzerland is our destination. So railing through Basel, with but a brief delay at the station, we reach Lucerne in the evening, and take up our quarters where we have often stayed before—at the Swan, which has developed externally into much grandeur, but inwardly remains unaltered, the old-fashioned comfortable hotel we have ever found it to be.

After a pleasant saunter we go to rest, intending to mature our plans for a month's vacation in Switzerland on the morrow. That morrow is the 1st of August—it should have been the 1st of April, for it played us a mischievous trick. A loud knock at the door, and lo! a telegram. We must return at once, and leave Switzerland, after spending less than a day in it! Perhaps it sounds more dignified to say that we spent parts of July and August there, arriving in the former month (July 31st), and leaving in the latter (August 1st).

When we had completed our arrangements for this hasty return, we took another saunter—well, perhaps not quite so pleasant as that of the previous evening; threw, mentally, our plans into the lake; noted the murky state of the atmosphere, and the threatening bare head of Mount Pilatus; and looking meteorologically at this state of heaven and earth, resolved that Switzerland was not in good form, and turned our backs upon it; returning, however, by the despised Rhine, not having courage to literally retrace our steps. So our notes, like our various plans, finish abruptly. We promised only fragments, and here they are—Fragments of a Broken Tour.

HENRY BEDFORD.

LIFE AND LABOURS OF REV. JOHN FRANCIS SHEARMAN, P.P., MOONE.

WITHIN the present year has passed from amongst us a distinguished priest, whose memory we should not willingly let die. As will be seen from the following brief record of his life and labours, he has served both the Church and his country in various ways, as also with a devotion peculiar to his earnest nature and truly noble character. A very close friendship and an intimate knowledge regarding the subject of this memoir, together with the abundant manuscript remains, left in trust with the writer, enable him fairly to authenticate the statements here given, and which may find a sympathetic interest among many readers of the IRISH ECCLESIASTICAL RECORD.

At the request of its Editor, however imperfectly, this labour of love has been undertaken.

John Francis Shearman, the second surviving son of Thomas Shearman and of Esther Buckley, was born in the city of Kilkenny, on the 30th of December, 1830. His family genealogy, with the collateral pedigrees, contained in a manuscript book, seems to exhaust not only relationship to distinguished persons on the side of his respectable parents, but likewise to include others bearing kindred names. From the county of York, in England, and from Yaxley, in Suffolk, the

Shearmans settled in Kilkenny, and many of them figure in the rolls of that ancient city. From Thomas Shearman, of Burnchurch, who lived in the county of Kilkenny about 1650, the Rev. Father Shearman claims direct descent, and the evidence appears to bear sufficient weight, as found in the elaborate and researchful notes and tabulated forms he has compiled.

Under careful guardianship and training of his good parents their child remained to the eighth year, when his elementary education commenced, at first in a children's school conducted by Domina Roth, and afterwards in another belonging to Domina Doyle—hence we may infer they were Dame schools—until, at an early age, as a day-scholar, he began to frequent the school attached to St. Kyran's College, then recently established. Here his higher and classical studies were begun on the 12th of October, 1841, and these were continued to the year 1849. There, besides the usual course of an English education, he had made very considerable progress in a knowledge of the Latin, Greek, and French languages.

Having early evinced a desire to embrace the ecclesiastical state, John Francis cherished the intention to become a member of the illustrious Jesuit Order, and having been accepted first as a student, he was sent to their College of Clongowes Wood, in September, 1850. From the memoranda relating to this period of his life, we prefer to extract the high appreciation in his own words, borne towards the guardians of his scholastic career. "*Ad exprimenda gaudia et animi delectationem ibi inventam sane vanum esset. Verba mihi quoque desunt quibus condigne laudarem bonitatem, pietatem, et permulta bona officia quo ibi sentii. Vanum esset laudare, sed in memoriam redigere et recolligere semper jucundum, dulce erit, et amabile.*" He had already entered upon his noviciate among the Jesuits, had gone to Amiens in France, and given great satisfaction to his superiors, owing to the attention, regularity and piety, with which he discharged the various obligations imposed. After matured consideration and direction, however, for chosing a state of life, he resolved conscientiously on leaving the noviciate, to prepare himself for joining the ranks of the secular clergy. His resolution in no wise diminished love and esteem for his former teachers; and during the remainder of his life, he always spoke in the most affectionate and respectful manner of the care and friendship he had experienced, while under their direction.

Even then Father Shearman began to develop those special tastes and pursuits in the studies of heraldry and genealogy, as also in the domain of Irish antiquities, history and topography, in which he afterwards became such a proficient. His investigations and researches were greatly promoted before as after the end of his collegiate course, and particularly when he returned to Kilkenny towards the close of 1853. There he had formed already the acquaintance of the Rev. James Graves, A.B., and of John G. A. Prim, editor and proprietor of the *Kilkenny Moderator*, who were Honorary Secretaries to the Kilkenny and South-East of Ireland Archæological Society. Soon their acquaintance ripened into a very cordial friendship, and John Francis Shearman became a subscriber and a contributor to the journal.

However, he did not remain for long in Kilkenny, as he had resolved on entering the Irish College in Rome. Accordingly he travelled through London, Paris, and Marseilles, towards Civita Vecchia, and arrived at the Eternal City in January 1854. The climate there during the ensuing summer proved detrimental to his health, when he desired to return and prosecute his theological course at home under more favouring conditions. He only remained as a Philosophy student in the Irish College, until the following October, when he left Rome for Ireland. However, he contrived to inspect nearly all the objects of archaic and ecclesiastical interest, within that short time, to acquire a good knowledge of the Italian language, and to store his wonderfully exact and reticent memory with observations and facts, which were afterwards told with a facility of vivid description peculiarly his own. Nor were the many Roman anecdotes he was so fond of relating to his friends in after years devoid of a quaint and racy humour, with a range of critical detail and remarks, which made his conversation and society so enjoyable as well as instructive.

During the absence of John Francis Shearman in Rome, his father died, on the 19th of June, 1854. This occurrence probably influenced the son's future career. His design had been formed to enter the College of Maynooth, and this was carried into effect on the 25th of January, 1856. Here he entered for Metaphysics, and he passed with credit through the classes of Philosophy, Theology, and Sacred Scripture; distinguished in the estimation of the Presidents, Very Rev. Laurence F. Renehan, D.D., and Very Rev. Charles W. Russell, D.D., and of the Professors, while he was a great

favourite with his fellow-students. With consent of the Bishop of Ossory, he became affiliated to the Diocese of Dublin. During this period the writer had the pleasure of first making his acquaintance, on an occasion when he called to tender his subscription for a monument in course of erection over the grave of Rev. John Lanigan, D.D., the celebrated and learned Ecclesiastical Historian of Ireland. Professor Eugene O'Curry and myself had charge of this undertaking as joint secretaries, and it afforded me a special gratification, at his request, to introduce the young Maynooth student, not alone to my respected colleague, but likewise to his co-labourer, the illustrious John O'Donovan, LL.D., both of them zealously working at the time on the translation of the Irish Brehon Laws, in the office, Trinity College, Dublin, and with a view to their subsequent publication. An acquaintance thus commenced led to a conversation, in which Dr. O'Donovan soon discovered a kindred spirit; while both himself and his visitor being Kilkenny men, had an opportunity for dilating on their favourite topics, the localities and families of that city and county. This interview led to an abiding friendship, and as an evidence of it, Dr. O'Donovan bestowed several laboured Irish genealogies and pedigrees, in his own hand writing, all of which we believe had been already printed. These were carefully preserved by Father Shearman, and are now to be found among his collections.

For Maynooth, he had a most special regard, and to him it was an *alma mater*. Without reflecting in the slightest degree on the other splendid colleges of which Ireland could boast, he held that Maynooth gave all its students an idea of magnitude, whether as to extent or resources; while its representative character as a great ecclesiastical and national institution, as also the ability, accomplishments and care of its professors, he deemed calculated to remove provincial prejudices and to awaken the best mental or intellectual qualities. In conversation he was fond of propounding his opinions in the shape of theorems, which frequently repeated had with him the weight of axioms. "Maynooth is a grand college, and there they treat students as gentlemen," he was often heard to state, when alluding to the place. There hardly can be question that such a conviction was produced by a sincere love and esteem for its professors and students, as by the other advantages, derived from a lengthened

experience; nor is the sentiment unknown or unappreciated by the prelates, priests and people of Ireland.

Called successively to the Minor Orders, May 26th, to sub-deaconship, May 27th, and to deaconship, May 28th, he was ordained priest, May 29th, during the Pentecost of 1860. Soon afterwards Father Shearman left the College, and he was appointed to the curacy of Dunlavin, by the Most Rev. Dr. Cullen, Archbishop of Dublin. Placed in this remote rural parish of the diocese, August 30th of the same year, he commenced a missionary career which developed qualities and gifts, natural and acquired, that won the warm regards of those people among whom he resided and officiated. With independent private means he was enabled to collect the nucleus of a library—which was yearly increased by many a volume—and especially abounding in rare and valuable works on Irish history and archæology. There, too, he found monuments of the past, which were specially calculated to awaken his intelligent investigations, and to call forth his most industrious researches.

At Killeen-Cormac he first discovered in October, 1860, that celebrated Ogham stone, with its unique bilingual inscription, and which soon attracted the attention of many antiquaries. Nor was this the only feature of interest presented in that ancient cemetery, as the writer had an opportunity of witnessing, during a visit to the spot in company with Father Shearman. At the suggestion of Sir Samuel Ferguson, who went there at a later period, the young curate was induced to report his discoveries, and to illustrate the local history of that place, in a paper read before the Members of the Royal Irish Academy, on the 22nd of May, 1865, and published in their proceedings. A more detailed account, embracing all that had been afterwards discovered, appeared in the June number of the *IRISH ECCLESIASTICAL RECORD*, in 1868. Nor had the subject been exhausted—further information having been gleaned from the researches of Sir Samuel Ferguson, Dr. Whitley Stokes, and William M. Hennessy, until the results were embodied in the opening number of his "*Loca Patriciana*."

During the short term Father Shearman spent in the extensive parish of Dunlavin, his opportunities for the acquisition of traditional lore, and the desire of the old people about Dunlavin to contribute their stores of local and personal information, were never neglected while he was engaged on missionary rambles, and

they are often noted down with great accuracy and minuteness. Documentary evidences were collected and added at intervals, so that manuscript materials now remain to furnish a very complete statistical, historical and traditional account of that parish, from earliest times down to the present century. We know how eagerly the celebrated Rev. Dr. James Henthorn Todd reproduced Father Shearman's account of the battle site at Glen Mama, where Malachy, Monarch of Ireland, and Brien Boriombe, King of Munster, with united forces, gained a great victory over the Northmen in 998. In the old Irish tract, intituled *Cogadh Gaedhel re Gallaibh*, or War of the Gaedhill with the Gaill, it occurs in one of the learned editor's notes. The chronographical and folk-lore observations of Father Shearman on the Battle of Dunbolg, fought in the year 598, between Aedh, Monarch of Ireland and Brandubh, King of Leinster, also furnish indications of his ingenuity and perseverance, when seeking to evolve annalistic and topographical reality, even from the reflection of bardic romance and popular traditions.

On the 24th of September, 1862, the Very Rev. John Canon Hyland, the worthy pastor of Dunlavin, departed this life, when, having reverently directed his funeral offices, Father Shearman placed a monument over his remains in the parish church, having inscribed on it a suitable Latin epitaph. Much was he imbued with the feeling and spirit of Sir Walter Scott's "Old Mortality." He also commemorated about this time, on a mural tablet, the names and obits of the priests previously connected with the parish. Shortly after this, the Most Rev. Dr. Cullen called the subject of our memoir to another sphere of duty, in the united parishes of Baldoyle, Howth and Kinsaly. According to this arrangement, the newly-appointed curate took up his residence in the parochial house, situated at the entrance to that court-yard where Howth Chapel is built. There the greatest and—as he always deemed it—the most agreeable part of his priestly life was spent, and with the place his memory is still affectionately associated. Withal, his greater facilities for literary labour endeared it to himself; and, as we shall see, his opportunities there enabled him to digest and mature the collections he had already made for the publication of various important works.

No sooner had Father Shearman found his home on the Hill of Howth, than he began to form the acquaintance of its residents, and to extend his beneficent influences among

them; so that he was esteemed and respected, from the lord of the soil, the Earl of Howth, to the humblest fisherman of the primitive Celtic or Fingallian town, so remarkably braving the northern blasts, and perched high over its spacious harbour. The fishermen of Howth especially idolized him, and would invariably ask his blessing before going out to sea in their herring-boats, while they implicitly obeyed his direction and arbitration in all those personal affairs about which he might be consulted. He frequently visited them in their houses, and tried to impress on them a due regard for the wants of a coming winter, and rarely one passed over that he was not instrumental in originating a collection for the relief of the destitute, or a coal fund for that trying season. In return, they were very willing to satisfy his inquiries regarding the traditions and customs of their fathers at Howth; while the oldest inhabitants, men and women, were surprised and delighted with the avidity he manifested to glean accounts of their ancestors and family connections.

From an early period, as we may glean from the first volumes of the Kilkenny Archæological Society, he had not only become a collector of Irish coins and other antiquities, but had exhibited some of these at the stated meetings of the members. His collections were yearly increasing, and he took care that they should be methodically and scientifically arranged in a cabinet specially designed to receive them; while his archæological gleanings and extracts were accumulating, with a view of utilising them for a future occasion. Like John Leland, the celebrated antiquary—himself a laborious and learned Catholic Parish Priest—Father Shearman was more of an industrious note-collector and compiler of historic *memoranda* than a publisher of these collections. A History of Howth was one of the objects he sought to realize, when he had time and opportunity to arrange and print his materials; while, as we believe, he had some expectation of rendering a like service for the topography and antiquities of Dunlavin parish. Nor was his native city and county forgotten, while adding to his notes at every convenient opportunity.

The reputation of Father Shearman as a student of Irish history and antiquities, besides his known artistic taste and extensive information regarding diverse subjects, had been a great inducement for attracting to Howth a learned and an agreeable society of literary persons, who soon began to regard him as an indispensable companion.

Among these may be mentioned Sir Samuel Ferguson, the celebrated Dr. William Stokes, Whitley, and Miss Margaret Stokes, who spent many summers on the old historic Hill; the former celebrating its scenes and traditions in a charming poem, "The Cromlech on Howth," while Miss Stokes with graceful pencil and refined feeling lent its illustration in glowing colour and rich tracery of peculiarly native design and ornament. There, in his handsome villa, so romantically situated, and overlooking Dublin Harbour with the surrounding magnificent scenery, Dr. Stokes composed his charming biography, "The Life and Labours in Art and Archæology of George Petrie, LL.D.," besides many other literary tracts. His son, Whitley Stokes, LL.D.,—so well known as a critical Celtic scholar, and as a general philological student—found his retreat in a home truly classic, and his researches were crowned with the success evinced in the various works, chiefly Irish texts and translations, which issued so frequently from the press. There, too, at Carrig Breac Villa, were wrought out the "Notes on Irish Architecture," by Edwin, third Earl of Dunraven, and edited by Dr. William Stokes' accomplished daughter, a magnificently-illustrated folio work in two volumes, with splendid autotypes and descriptions of our most celebrated antiquities, Pagan and Christian. The distinguished Irish scholar, William M. Hennessy, had prepared for press a considerable portion of his "*Chronicum Scotorum*," and "*Annals of Lough Cé*," while he retired to Howth, and its health-giving breezes from the smoke of Dublin; nor was there one living for whom Father Shearman cherished a truer friendship, or whose society he more enjoyed, because of that profound and exact knowledge of Irish history and literature Mr. Hennessy possessed, and which he was ever ready most obligingly to communicate.

Fully alive to every object and discovery of antiquarian interest, nothing escaped Father Shearman's observation in that locality; and, accordingly, we find the results embodied in a communication, read 8th June, 1868, before the Royal Irish Academy, "On some recent Excavations at Howth." This paper was afterwards published in the "Proceedings" of that learned body. On the small island north of Howth Harbour, and formerly known as Innis Faithlen, afterwards called Inis-Mac-Nessan, now corruptly Ireland's Eye, an old ruined church had braved the storms and vicissitudes of time, while a curious

form of attached round tower remained, even to the beginning of the present century. It is needless to comment on the act that left its walls almost a wreck; but, Father Shearman fortunately preserved Dr. George Petrie's drawing of it long before that desecration had taken place, while he had sufficient outlines and data to effect the work of preservation, if not of perfect restoration. His resolution was formed, and among his titled and accomplished friends, especially these residing on the Hill of Howth, he realized subscriptions to begin the work, which he superintended with a zeal and perseverance leaving nothing to be desired, and the operatives were almost daily directed by Father Shearman on the islet as each string-course of masonry proceeded. Even the scattered key-stones of the little chancel arch were carefully collected and set in their proper position. Antiquarian knowledge, taste, and judgment were exercised in a manner, which, if successfully imitated by our Commissioners for the Preservation of Irish Monuments, will endear their fame and labours to the latest posterity.

When His Eminence Cardinal Moran had resolved on issuing a new edition of Rev. Mervyn Archdall's "*Monasticon Hibernicum*," which appeared in Dublin A.D. 1873, *et. seq.*, he had engaged the assistance of some distinguished Irish antiquaries and ecclesiologists to aid in the undertaking. To Father Shearman was assigned the county of Dublin portion, where the learned annotations added to the original text are most copious and interesting. Only his thorough acquaintance with appertaining documents and local traditions could have rendered it so complete and perfect. His notes to the text form the concluding portion of the first volume,¹ and the commencement of the second² in that most useful work. Meantime, Father Shearman was engaged on the compilation of that laborious and researchful treatise, which is best known to the student of our ecclesiastical history.

In the "*Journal of the Royal Historical and Archæological Association of Ireland*," fourth series, vol. ii., part ii. A.D. 1873, was inserted the first number of his "*Loca Patriciana*," and it was continued in successive instalments, until number thirteen completed the work. It was issued A.D. 1879 in regular book form, royal 8vo., with an additional

¹ These extend from pages 293 to 336.

² The notes are from pages 1 to 145.

preface, table of contents, index, addenda, and corrigenda, published by M. H. Gill and Son, 50 Upper O'Connell-street, Dublin. With great learning and ingenuity the author investigates the historic traces of localities and contemporaries connected with our illustrious National Apostle and the era of his mission. In that valuable treatise are related numberless facts and traditions, not elsewhere to be found in juxtaposition, and in an order which serves the investigator of an early Irish Christian period. Nor are the least important portions those genealogical tables, so carefully and laboriously compiled, from various ancient chronicles and available records. We may not always agree with conjectures and reasoning of the writer when he advances statements to sustain a theory or an opinion; and when the weight of evidence is not sufficiently convincing, we may not very readily submit our judgment to his conclusions in various particular passages; but, we admire that earnest, trustful and original thought, which loving truth for her own sake seeks to cast aside the trammels of conventional repetition and a tame acquiescence in generally-received accounts, while a single ray of light remains to be reflected on the misty records and traditions of remote times.

Apparently following the account of Ralph Higden, compiler of the *Polychronicon*,¹ the Malmesbury monk, who was author of the "*Eulogium Historiarum*,"² mentions the distinction between St. Patrick the Archbishop of Ireland, and another Patrick Abbot of Ireland, the latter of whom he clearly confounds with St. Palladius. The mediæval writers have committed various mistakes, affecting the chronology and places with which either has been connected. The first to raise a special question about the confusion of statements regarding the Acts of Patrick, and to form the theory of distributing Irish annalistic and record accounts among three holy men bearing that name, seems to have been Dr. George Petrie.³ The assumed blending of biographic particulars and coincidences, after treating them in argument, he declares to have been

¹ See vol. v., pp. 304 to 307, edited by Rev. Joseph Rawson Lumby, B.D., for the Master of the Rolls, in 1874.

² See vol. i., p. 203, of the edition edited by Frank Scott Haydon, B.A., for the Master of the Rolls, in 1858.

³ In his *Essay on the History and Antiquities of Tara Hill*, in "*Transactions of the Royal Irish Academy*," vol. xviii., *Antiquities* No. iii., pp. 87 to 118.

thrown out for the consideration of the learned, with a hope that they might assist in promoting a spirit of impartial investigation, regarding an interesting portion of Irish history. This subject has been more critically analysed by the Rev. Dr. James Henthorn Tod, whose inferences are drawn from a comparison of St. Patrick's various Acts,¹ and which it should be out of place to describe more in detail while treating this brief biographical memoir.

Another important historic work had now engaged the attention of Father Shearman, and the course of his previous studies prepared him for the task. He had intended to give it an extension far greater than the "*Loca Patriciana*" received. With this object in view, he collected various works of standard value on the subject; he took various extracts and notes from the public libraries in Dublin; he began to arrange, compile, and compare records of kings, chiefs, saints, and distinguished persons, with their respective dates of living and of death; he gave classification to contemporaries, and from various annalistic entries; he drew up tables of Genealogies and Pedigrees. According to an approved method he possessed for planning and revising a more finished work, Father Shearman wished his papers to appear in the first instance, as a contribution to his favourite "*Kilkenny Archæological Journal*," and the Rev. James Graves, its editor, favoured his design. He then commenced the publication of those articles, "*On the Celtic Races of Great and Lesser Britain*," in volume v., Fourth Series, April, 1881; the last of these contributions appeared in the same Volume and Series, in January, 1884. Meantime, the pages, as supplied to the Journal, remained in the printing office, with repaging additions, and corrections, with a view to preserve these revised sheets for a future issue in regular book form. There the work ended, however, although Father Shearman had sent other elaborately arranged genealogies for publication, without a text to illustrate them, the Christmas before his lamented death. These genealogies were returned to the present writer in manuscript; nor is it easy to discover among Father Shearman's papers, any notes which have special reference to those tables. Indeed, he appears to have been unable to complete that dissertation which might serve for a better understanding of the tabulated forms.

¹ See "*St. Patrick, Apostle of Ireland*," chap. i.

In the beginning of 1883, Mr. Joseph Whitaker, the London publisher of that well known and useful Almanac to which he has given his name, had designed issuing a new edition of Rev. S. Baring-Gould's "Lives of the Saints," in sixteen volumes, with the Rev. Dr. Hussenbeth's "Emblems of the Saints" forming an extra volume. He desired as an addition the insertion of a supplementary list of Irish Saints, as also the Irish Patron Saints of cities and towns, by the writer. However, other engagements and literary work preventing such an effort, Mr. Whitaker was recommended to engage Father Shearman on a task for which he was so eminently qualified. His consent was obtained, and almost immediately afterwards the additions required were completed to the publisher's entire satisfaction. Among Father Shearman's correspondence we find it thus expressed. A cheque for the amount designated, in June following, to compensate him for the care, learning, and industry he had bestowed on the compilation, is alluded to in one of the letters extant.

On the 15th of November, 1883, the Very Rev. Archdeacon Laurence Dunne, P.P., of the united parishes of Castledermot and Moone, departed this life, and soon afterwards it was resolved by His Eminence Cardinal MacCabe, that these parishes should be disunited, and be assigned severally to the charge of two distinct pastors. Accordingly when the division had been made, the Archbishop selected Father Shearman to be the future parish priest of Moone; while a previous knowledge of that district, and an acquaintance with many of the resident parishioners were motives that afforded him great satisfaction and pleasure in accepting the appointment. Towards the close of that year he was duly installed, and he assumed the care of souls in a quiet and remote part of the diocese, with the liveliest demonstrations of joy on the part of its people, to whom his antecedents and character were already thoroughly well known. Yet, to the parishioners of Howth, his removal was a cause of heartfelt regret, and indeed his severance from those who had so much loved and revered him gave pain and sadness for a long time. An address and a handsome testimonial were at once prepared; the people of all creeds, shades of political opinion, and classes, besides his personal friends and acquaintances, hastened to make their gifts worthy of that occasion. Nor do we know of any more genuinely appropriate or feeling expression of sympathy and esteem than the recorded tribute then paid

to his worth and services. The reply of Father Shearman was characteristic, not alone of his scholarship, but of his heartfelt gratitude and kindness so nobly and so touchingly conveyed. Even then, it was more than suspected his health had not been good, and only the hope that on his new mission a little occasional rest might restore him, reconciled the Howth people to his departure from among them.

Such expectations however did not long remain ; for the preparation, worry, and anxiety of removing in mid-winter told somewhat on his constitution, although hardly on his naturally buoyant spirits. Without loss of time he was again in harness ; his powers and faculties for parochial organization were well and wisely at work ; improvements were designed and soon executed in his large, new, and fine pastoral house and grounds ; his church, already dedicated to St. Columkille, was repaired and improved ; while his active mind engaged on further designs, destined to provide for the beauty of God's House, as also for the spiritual wants and material comforts of the people. That insidious and usually fatal disease known as Bright's, had been growing on him for a considerable time ; still he sought in missionary calls and duties an alleviation from the pain and weakness it occasioned. During the spring and summer he was known by his parishioners and friends to be failing in strength, and yet labouring with an effort to fulfil the self-imposed cares he could not readily forego. Writing an ordinary letter fatigued him, and even he read with much difficulty. Still was he apparently cheerful, and especially delighted when any of the clergy or his friends called on a visit to the parochial house beside his church at Moone. In the autumn of 1884, his medical advisers recommended a sojourn to take the waters at Buxton ; but a few evenings before he crossed the Channel, and while on a visit with the writer, he was seized with a violent spasm which however soon passed away. He seemed to derive very little benefit from his journey thither, and after a brief stay at Buxton, he travelled to London, where he remained for a few days, returning to Wales, where he also rested for a time. Finding himself weak and exhausted, he desired much to reach Ireland. From Dublin he soon left for Moone, and there his illness assumed a serious stage, owing to a complication of disorders which could not be removed by medical treatment. The winter was now passing, and finding his strength gradually declining, in

the begining of the next year he received the last sacraments of the Church with great devotion. He prepared for the approaching end with calm resignation to God's holy will. During those days immediately preceding his death, in reply to messages which reached him from sympathizing friends, he would write on post-cards a few words, yet with difficulty, owing to weak action of the heart and utter prostration.

On Friday, February 6th, 1885, the last moment of release from his sufferings came, and while engaged in conversation with his cousin, Miss Shearman—who tended him during his illness with the most tender care and affectionate solicitude—a sudden change was observed, he grew weaker, fell forward, and almost motionless he was borne by her and placed on a sofa which was near, when a heavy sigh unconsciously breathed was the prelude of his immediate departure. His solemn obsequies were celebrated in the Parish Church of Moone, to which his remains had previously been removed by a large concourse of his sorrowing parishioners, on the following Monday, February 9th. It is needless to observe, not only was the church crowded with the parishioners of Moone and the adjoining parishes, who mourned—many in tears—their pastor, guide, counsellor, and friend; but a number of priests from the dioceses of Dublin, Ossory, Kildare, and Leighlin were present in the choir, and at the funeral, while several distinguished friends and families from Dublin and Howth were in attendance. The body of Rev. John Francis Shearman, placed in a coffin of Irish oak, having on it a brass-plate inscription, and covered with many a floral wreath, was lowered to its final resting-place, a side-isle of the nave in the Church of St. Columkille, Moone, and on the Gospel side of the high altar. The loving fishermen of Howth, who had travelled a long distance for the purpose, resolved that theirs should be the hands to engage in this last manifestation of respect and affection; while all who stood around the grave sorrowfully felt the impressiveness of that scene, which spread over every countenance.

The several manuscript compilations and collections of Rev. John Francis Shearman—most of which are preserved—may thus be classed and described: (1) Pedigrees of the Shearman Family and Connection, a quarto manuscript, apparently one of his earliest literary compilations. (2) Pedigrees of various Irish Families, especially as con-

ned with the county of Kilkenny, a large folio manuscript filled with genealogical tables and illustrative documents, with pedigrees drawn up by John O'Donovan, LL.D., included. (3) Collections on Historical and various subjects, a large folio manuscript containing several pedigrees, transcripts, and papers. (4) Collections on Historical and various subjects, a smaller folio manuscript containing similar matters. (5) Collections on Historical and various subjects, a quarto manuscript containing similar matters. (6) Historical Collections for Dunlavin, a small oblong quarto manuscript. (7) Historical Collections for Howth, a small oblong quarto manuscript. (8) Historical Fragmentary Notes, a small oblong quarto manuscript. (9) Historic and Genealogical Collections, a duodecimo manuscript consisting of small tracts. (10) History of Kilkenny, an octavo manuscript containing extracts from various sources. (11) History of Kilkenny, a duodecimo manuscript of a similar character. (12) History of Kilkenny, a duodecimo manuscript of a similar character. (13) History of Kilkenny, a duodecimo manuscript of a similar character. (14) History of Kilkenny, a duodecimo manuscript of a similar character. (15) Memoranda and Notes, two small duodecimo manuscripts. (16) Letters and Correspondence, two thick octavo manuscripts. A few small note-books of interest also remain. The foregoing are now in the writer's possession and will shortly be transferred for preservation to the Maynooth College Library. They serve still farther to illustrate and extend the present incomplete biography.

JOHN O'HANLON.

ON THE TELEPHONE IN RELATION TO THE SACRAMENT OF PENANCE.

I PASS on now from the definite and tangible arguments of Natural Science to the under speculations of common sense Philosophy.

If the argument which I attempted to maintain in my last essay is substantially valid, I think it will be admitted that I have at least thrown the *onus probandi* on those who claim admission for the Telephone amongst the phenomena of the science of sound.

Nor does the very beautiful and interesting passa

which Father Livius quotes from Lord Rayleigh's address, illustrating the partial character of our knowledge of that science, and the marvellous discoveries in recent years of unknown affinities between it and Light and Electricity, relieve him in the least degree from the weight of this obligation.

No doubt these sciences are making wonderful progress, and we can readily conceive vistas of scientific knowledge of indefinite length opening up before us; but I think it would be a mistake to allow the indefiniteness which these discoveries give to our forecast of the future, or the uncertainty which attaches in parts to our knowledge of some of the ascertained facts, to confuse and obscure well-known facts and theories in that portion of the science of Sound and Acoustics that has been thoroughly explored.

Now, if any theory has made good its ground to acceptance, by the only valid test of a theory, namely, by explaining the phenomena, it is the vibratory theory of sound. Such naturally occurring phenomena as the passage of ordinary sound through the air, and other elastic media verify it by the precision with which they respond to the laws of motion which that science enables us to formulate, so that, given a medium whose density and elasticity are known, we can determine the velocity with which a sound will pass through it as accurately as the motion of a railway train. Then, again, as a better and more striking illustration, take the art and science of music, and consider that through all its variety of instruments, with their endless mechanisms, the same rule of the vibratory law is simply supreme and unquestioned; and whether it be the length of a fiddle string or the bore of an organ pipe that has to be regulated, the practical musical result is in exact correspondence with the anticipations of the theory.

I will go the length of saying that there is no theory in any science better ascertained than the vibratory theory in sound, and that there is no fact which is known to be inconsistent with it. Of course I do not now include in this broad assertion the Telephone, as that would be a *petitio principii*.

The vibratory theory is then in possession; it covers a large and miscellaneous collection of phenomena. A new phenomenon arises, and claims to be admitted amongst them. I think it is not unreasonable to demand its

credentials, and to ask some positive evidence that it belongs to the family, or is a relation.

This, then, is my general answer to Father Livius' Philosophical considerations in favour of amending and enlarging our theories of sound and acoustics so as to admit electricity amongst them. In the first place there is no need, inasmuch as we can sufficiently explain the phenomena of the Telephone without confusing sciences so distinct as sound and electricity ; and secondly, there is no right, because the electrical phenomena of the Telephone have nothing in common with the well-established sound-phenomena, and cannot, therefore, be put in the same category with them.

I decline to put "elastic media" and "electrical agency" in the same class, and when Professor Ryan goes farther and, by correcting my statement that we "know of no such medium as electricity for the transmission of sound," substitutes the past tense "we knew," I think I am fairly entitled to ask him for positive evidence that this accession has been made to scientific knowledge. Personally I do not know it. Professor Ryan and Father Livius assert that they know it. Let us see then what positive evidence, not mere hypotheses or surmises as to possibilities, but proof positive, they can produce, that the sound of the human voice passes through the telephone as through a medium in such a way as to give immediate sensible perception of the speaker.

Putting aside then, for the moment, such questions as "What is sound? What is the human voice? In what do their identity consist?" and considering the Telephone broadly, as they say, after the manner of a common sense philosopher, what is its evidence in favour of Father Livius' view?

In my opinion it presents simply none. It is powerless to prove anything in this discussion.

It shows results that are marvellous, reveals affinities hitherto unsuspected between various forms of energy, but so far from helping us to determine, by a general common sense examination of it, the obscure and difficult point in dispute, the most obvious and emphatic lesson which common sense learns from it is, that it is out of its element here, and that mere appearances cannot be trusted in so wonderful a mechanism.

However, let us consider what has been written on that side.

1°. There is the testimony of sense. We hear the speaker's voice and recognise it, beyond the power of any scientific subtlety to deny or throw doubt on, and consequently we know that it has been transmitted to us through the Telephone. That is the primary argument of common sense.

As Professor Ryan graphically puts it :

"It is in fact, a point for a jury to settle, though there cannot be any doubt that the popular verdict would be in favour of Father Livius' conclusion. Indeed the expressions commonly used in describing telephonic intercourse sufficiently establish this. It is a case where common sense is more to be relied on than elaborate philosophical disquisition. The listener knows that the sounds he hears at the receiver of a Telephone are caused by some one speaking in front of the transmitter: he recognises the peculiarities of his accents, and identifies the voice of a friend, and therefore he has no hesitation in saying that he has heard his voice. This is the verdict of common sense, and therefore, before examining the scientific grounds on which the contrary opinion has been based, I would point out that these should be very strong and satisfactory to compel us to assent against the evidence of sense."

Now all this statement and all the similar statements in Father Livius and Professor Ryan's arguments simply beg the question. If the listener "identify the voice of a friend," *cadit quaestio*. I might as well try to convince a person that an inhabitant of Dublin to whom he was speaking at the moment in London had not travelled over. But if the precise point in dispute was whether the person to whom he was speaking was the inhabitant of Dublin in question, or a well got up impostor, it would be an inane kind of argument to say that you recognised him by his appearance. While the sham and the reality bore the same appearance, *ex hypothesi*, you require some other means of identification, so too with the voice heard in the Telephone. I maintain that it is not the voice of the speaker, but a well made imitation of it. I show that the supposition that it is the voice, is in opposition to all the well-known and received theories of sound, and against the opinion of some eminent authorities. All this throws at least a doubt upon the identity of the sound which is heard, with the sound spoken, and consequently it is simply begging the question to resolve the doubt by the mere sense impressions which are perceived. Such an argument would be put out of court by even the possibility of my

opinion being right; but if it is probable, then the argument does not bear stating.

Even then if I admit that we hear a sound in no wise distinguishable from a certain speaker's voice, and that we know that it is caused by that voice acting on the Telephone, we cannot logically conclude more than that it is the effect of that voice. And if we are aware that there is a dispute on scientific grounds as to whether it is more than such an effect, or is the very voice itself, we must look to the issue of that dispute for further information.

The listener is dependent on the one sense of hearing, just as if a blind man were to hear a voice which he thought was that of a particular person. Ordinarily the evidence of his hearing is sufficient for him, but if in any instance a doubt were raised as to whether the voice which he heard was that of his friend, or an imitation of it, his sense-impression becomes insufficient to decide and he must look to further information. So too in the Telephone, our sense of hearing may indicate the voice of a speaker: but once the reliability of that indication is challenged, we cannot follow it, and must suspend our judgment.

Our sense of hearing has no power such as Father Livius and Professor Ryan seem to ascribe to it of distinguishing in the case of the human voice or any other sound between an original, if I may use the metaphor, and an imitation. It can go no further than the sense impression which is the same in both.

Now I think that argument without going further invalidates all Father Livius writes about common sense, which has not jurisdiction to decide the point, and refers it back either to natural science, or to metaphysics, to determine in what the identity of sound in general and of the human voice in particular consists.

But let me pursue the point a little further.

As a matter of fact, the sound heard in the Telephone is most distinct and distinguishable in kind from the sound spoken. So different are the two, that anyone moderately careful in observation can perceive the human and the metallic origin of each. This is lost for ordinary observers. The articulation of the sound by habitual association fixes it in our minds as a human voice. It requires an effort to believe that it comes from so unusual a source as a metal plate, and the resemblances to the voice that gave rise to it, are undoubtedly so marked, so remarkable and striking, that the differences between them

are lost except to a very keen observer. But to such an observer they are quite plain, so that if a person were to contrive a position in which the sound of his voice, as naturally heard, and the sound through a Telephone could be heard in quick succession, they would be found to be quite distinct in tone, &c., and different from one another.

I submit that this difference is of itself enough to break down the evidence drawn by common sense philosophy from one sense. It is as if the blind man already referred to, in spite of warnings that he was making a mistake, and in defiance of his own hearing, which reported a notable difference between the voice heard and that of the person from whom he supposed it proceed, would persist in asserting that as a fact it did proceed from that person.

These are the comments which I wish to make on the testimony of our senses in the case of the Telephone.

A further point on which Father Livius and Professor Ryan set great store, although it looks somewhat scientific for a popular jury, is the supposed fact that the energy of the human voice is the sole force in play in the Telephone.

The Phonograph is an inconvenient discovery for them. It would not do to have a man put his confession in a box and send it to his father confessor in Australia, and get absolution returned to him by next mail. Accordingly the phonograph has to be put out of court because, indeed, a handle must be turned to make it speak.

“This cannot be said of the phonograph. One may speak into the phonograph and the record may be carried to the Antipodes, and the speech be reproduced by turning of the handle. This could not be called transmission of sound in any sense. The energy in the sound produced is derived, not from the speaker, but from the muscles of the man who turns the handle. Whereas in the Telephone the energy is continually active all the while, passing without any break from the speaker to the listener.”

I should think rebellious thoughts must have arisen in Father Livius against this as too cramped and arbitrary for the obvious facts. What justification is there for flying in the face of an obvious fact, and asserting that the sound heard at the Antipodes which I recognise as the voice of my friend who lives in Ireland, and which I knew was spoken into the phonograph there, is not his voice but that of the muscles of the man who turns the handle? Why he might be turning the handle until it or his own arm came off, and never get a sound out of the phonograph if the speaker did not put it there.

It would be as reasonable to assert that any other commodity was not transmitted, because a certain mechanical effort was necessary to take it out of the box in which it was packed.

There is a distinction between a *sine qua non* and a cause. The speaker's voice in the phonograph is as much the cause of the sound heard as in the Telephone, but in the former, "the turning of a handle" is a *sine qua non* to reproducing the sound.

Besides I wish to traverse as inaccurate the proposition that there is no energy in play but that of the human voice. Indeed there is. There are magnetism, electrical currents, primary and induced, that are latent in the machine until they are called into activity by the human voice, which is in reality no more than the first motor in a long series of activities; and a person who knew the complex and mysterious character of the machine ought to recognise in it something very unlike the ordinary phenomenon of speech, and be on his guard against conclusions drawn from a mere superficial observation of its results.

Professor Ryan may, however, interpose the remark, that, "for all we know," there may be some such electrical energy in operation when the voice ordinarily passes through air. We know little or nothing of the intimate constitution of air particles, which may be microcosm for us: and, for all we know, the very principles that underlie the working of the Telephone may have their application in every one of the myriad molecules of air through which sound passes.

"For all we know," means "for all we don't know." If we know nothing about it, let us omit it as a useless factor in the discussion. The practical conclusion which such want of knowledge seems to indicate, is to make affirmations about the Telephone, not by the mere possibilities that lie outside our knowledge, but by the ascertained facts that are within it.

We do not know the intimate nature of sound. Its essence, as indeed the essence of all things, escapes us in our ultimate analysis, and we have to be satisfied with our knowledge of its phenomena up to a certain point. We cannot say how it is that the tremors of our vocal organs so affect air particles as to make sound, or what are the unseen conditions of its transmission. Neither, on the other hand, can anyone say how the tremors of the

diaphragm of a Telephone affect the electrical current—whether it is mere motion, or something infinitely more mysterious. I ask, then, is it a reasonable or philosophical method, to discard, in the ordinary phenomena of sound, everything that is investigatable and known, to do the same with the Telephone, and then, finding a residuum of mystery in each of them, to affirm on account of these residuums, that they must be identical?

Sir George Airey, in his evidence in the famous lawsuit between the Post Office Authorities and the Telephone Companies, to which I shall refer later on, came on these grounds to the very opposite conclusion, “for the reason that until we know the laws governing, and the nature of the process which takes place during the transmission of sound through the air, we really know nothing of the nature and operation of electric currents.”

And I ask Father Livius or Professor Ryan, when they claim to know—mind, I do not say to surmise, but to know—that electricity acts as a medium for the transmission of sound, how they come to know that which Sir George Airey affirms is unknowable? Are they prepared to prove that if I had fineness of touch sufficient for the purpose, that I could not, by merely tapping the diaphragm of the transmitting instrument with my finger, transmit a sound which might be taken for a human voice at the receiver? If they are not, I cannot see how they can affirm that the voice, as such, passes, or is conveyed, along the wire, or does more than produce a remarkable imitation of itself.

A very similar case is that of the writing telegraph. A person takes a pen and writes upon a paper; and at the other end of a telegraphic wire another pen writes an exact copy undistinguishable from the original. Are both of these the man's writing? If the operator were in Dublin, could a person in New York say with scientific accuracy, “I saw him writing. I saw the motion of his pen. I have had immediate sensible perception of him.” Is this telegraph an elongated pen? If not, the Telephone is not an extension of the range of the voice.

But in either case the speaker and writer are the efficient causes of the results produced.

But I cannot see how we are justified in carrying our conclusions farther. Undoubtedly the speaker's voice is the efficient cause of the voice which is heard, and the speaker is morally as responsible for one, as for the other. The reproduced sound is moreover so like the original, as

to be available equally with it for all ordinary purposes of conversation, and consequently may without abuse of language, be called popularly the speaker's voice; but when we leave the loose phraseology of popular language, and come to the precision which is necessary when there is question of that objective identity on which the validity of a sacrament may depend, I say, with all deference for the great authorities on the other side, that I cannot see a particle of evidence for the opinion that the *ipsissima vox* passes through the Telephone and is heard by it.

All Father Livius' philosophical speculations are, I submit, beside the question. If he had established the fact beyond all cavil that the true human voice passes through the telephonic wire, he would be justified in demanding an expansion of our theories as to media for the conveyance of sound. He has no such right before he ascertains the fact. Much less is it either a logical or philosophical process to advance such expansions of accepted theories as an argument for the fact that the voice does travel, at the same time that the assumed existence of the fact is the warrant for expanding the theory. This is what we used to call, I think, "*idem per idem*." Apart from strictly scientific reasons, Father Livius calls it "arbitrary theorizing."

But, perhaps, he may argue, and this seems to be the import of Lord Rayleigh's view, that an articulate sound however produced, of which the vocal organs even mediately are the cause, is the human voice itself. The difference between electrical agency and elastic media, is one of mechanism, and is not fundamental.

In answer to this I would presume to say that the mechanism is of the essence of the thing, just as the motion of one's legs is of the essence of walking. A man may transport himself from one place to another by various mechanisms, which may be quite as effectual for the purpose as his legs, but in no other way can he be said to walk.

In my opinion, no sound but that which issues from the speaker's mouth can be truly called his voice. If the Telephone acts a medium and conveys sound, then Father Livius' contention is good, if it is only a mechanism set in motion by the energy of the voice, there is a difference which, even against the opinions of Lord Rayleigh and Dr. O'Reilly, I would presume to think fundamental as far as the special exigencies of a case which required a sensible presence of a speaker.

Nor does Father Livius' description of the human voice, as consisting of matter and form, carry him far. Metaphors lend themselves to all sides of an argument. In the Telephone the matter of the voice ceases to exist at the transmitter, the form, which is the meaning, survives, and takes new matter at the receiver. It is in fact a kind of sonorous, or rather silent metempsychosis, and thus the metaphor of matter and form does my behests as obediently as Father Livius'.

But after all there is just one consideration on his side that I have not touched, and that I approach with great diffidence, that is the mere authority of such men as Lord Rayleigh, Professor Ryan, and Dr. O'Reilly, and when, in addition to the well-known reputation of the first named of these, we read Father Livius' solemn and formal proclamation of his supreme authority on the point in dispute, I feel like some poor shivering Roman, when he saw the scales heeling over under the weight of the armour of the Gaul.

Fortunately, however, for myself and my argument, I am relieved from the necessity of facing so unequal a combatant. The short note from Lord Rayleigh with which Father Livius finished and clenched his article in June, refers to the famous law-suit between the Telephone Companies and the Post Office, in which Lord Rayleigh gave an opinion in favour of the view now advocated by Father Livius.

We all have access to the records of that trial, and we can judge from them to what extent a competent and impartial tribunal regarded Lord Rayleigh's authority as decretorial, and his opinion correct.

The Postmaster-General of England maintained that by the terms of the purchase of the telegraphs he had become entitled to the ownership of the Telephone, although as a fact it had not been invented at the time, inasmuch as a telephone was merely a form of telegraph. The Telephone Companies raised in defence, amongst other points, the very one now in dispute between Father Livius and me, and alleged that whereas in a telegraph, communication was made by message through a pre-arranged code of signals, in a Telephone there was much more, because there was an immediate conversation in which the human voice travelled.

Being strictly a scientific question, the evidence of experts was called, but with characteristic resemblance to

all such cases, scientific evidence was forthcoming in abundance and with inconvenient plentifulness on both sides.

Sir W. Thompson, Professor Tyndall, Dr. Fleming and Lord Rayleigh were amongst those who sustained the opinion that the sound of the human voice was transmitted through the Telephone. Lord Rayleigh's affidavit set forth that—

“The Speaking Telephone is an instrument for artificially extending by the use of electricity the limits through which the human voice is audible. The only essential difference between a speaking telephone and a speaking tube is that in the former vibrations are transmitted in the electrical, in the latter in the aerial form.”

On this and similar affidavits the Court commented as follows:—

“We see no reason to doubt the statements of these distinguished men as to the novelty and other scientific merits of the transmitting and receiving instruments. Whether it is correct to speak of the Telephone as actually transmitting sound, and as being in the nature of a speaking trumpet or speaking tube, seems *much more questionable*. Sir George Airy, Professor Adams, and Mr. Siemens expressly deny it, for reasons which we need not quote at length. Sir George Airy gives his reasons in a very few words:—

“I do not believe that any such identity can be proved or *reasonably stated to exist*, and this I say for the reason, that until we know the laws governing and the nature of the process which takes place during the transmission of sound through the air, we really know nothing as to the nature and mode of operation of electric currents, or waves, or impulses, or tremors.”

Here, then, we have not the unquestioned authority of one supreme name, but simply, as you might have any day if there were question of the construction of a railway bridge, one set of experts expressly contradicted by another equally eminent.

And we have the Court, which would seem to be an ideal tribunal according to Professor Ryan and Father Livius, distinctly declining to accept the opinion which they think any common sense jury would affirm, and indicating in every way short of a final decision its dissent from that opinion.

The judgment proceeded: “It was argued that no sound at all was audible between the transmitting and receiving instruments, that the sound produced at the receiving end is produced not by the

voice uttered at the transmitting end nor by the vibrations set up by the voice in the electric current in the wire, but by the vibration of the metal disc, caused by the variations in the friction between the disc and the chalk cylinder. It was further said that the sound heard at the receiving end differs in a marked way from the sound uttered at the transmitting end, and that though the difference between two voices can be recognised at the receiving end, this no more proves identity between the sounds uttered and the sounds heard, than the fact that you can distinguish the photograph of A from the photograph of B, proves identity between the faces of A and B, and their respective photographs. A consideration not mentioned during this argument may be added. The Telephone in the transmission of sound substitutes the velocity of light for the velocity of sound. If the sound made by the voice reached the receiving instrument of the Telephone, it would reach it long after the Telephone had spoken, and it seems strange to say that two sounds separately heard one after the other, are each identical with the sound uttered, especially when the one which arrives first makes a different impression in the ear both from the words as first spoken, and from the words as first heard. Mr. Cromwell Fleetwood Varley mentions that he and his brother arranged two parabolic sounding boards in such a manner that they were accurately directed towards each other, and that words spoken by one brother into the focus of the one parabola were heard by the other brother at the focus of the other parabola at a distance of two miles. It would take about eight seconds for the sound to traverse this distance. If, therefore, the words had been spoken into a transmitting instrument at one focus, in telephonic connection with a receiving instrument in the other focus, the one sound would have been heard eight seconds before the other. Can it be said that the two sounds were one and the same sound, or that the one sound travelled simultaneously over the two intervals of space at two different rates of speed? We do not think it necessary to express any opinion on a controversy which is more scientific than legal, or perhaps more properly metaphysical or relative to the meaning of words than scientific, as it seems to turn on the nature of identity in relation to sound."

That judgment regards the transmission of sound through the Telephone as very questionable: quotes with approval Sir G. Airy's opinion that we cannot reasonably affirm any such thing: points out the salient arguments against it, as stated by counsel, and then adds other striking reasons: and finally while it stops short of pronouncing a formal opinion on a purely scientific question, sustains the proposition which it has been the main purpose of this paper to maintain, that that scientific question must be decided, not by common sense, but either by scientists or

metaphysicians, inasmuch as it turns, as I have all along maintained that it does, on the question of identity in relation to sound.

I will add, without comment, the following short extracts from "The Electrician" of 25th December, 1880, on the above judgment, in which, I think, there is a strong and clear corroboration of my view and my arguments:—

"The Court showed itself as competent as the scientists themselves to deal with the subtleties of technical definitions, and in one or two notable instances demolished the experts with their own weapons. . . . With regard to the disputed definitions of a telegram, however, we have left them to the judgment of our readers, believing that, considered apart from the special interest at stake in this dispute, divergence of opinion is simply impossible. This, the Court has confirmed beyond all cavil, as we expected it would, notwithstanding the affidavits of several scientific men to the contrary. How comes it then that these affidavits have been penned? The explanation is afforded by the Court, and we need not go outside its judgment to account for what at first sight seems inexplicable. The Telephone is an entirely novel and unlooked for application of electricity. It does not come within the historical definition of a telegraph, because it had no existence when that invention was framed: it does not transmit signals in the sense in which transmitted signals have been generally understood: and by *a not unwarrantable strain of language* it may be described as a vehicle for conveying the human voice.

"The comparison which one witness had the hardihood to draw between the diaphragms of a telephone and the two sides of a wall through which a couple of persons may converse, is altogether beside the mark, seeing that the diaphragms *do not convey sonorous waves*, nor are the vibrations which travel through the wire identical either with those originally set in motion. The vibrations which pass along the wire are *electrical not sonorous*; and it may be here added, that an electrical vibration, whether it be intermittent or undulatory, is still electrical."

EDWARD T. O'DWYER

THE IRISH IN BELGIUM—I.

INTRODUCTION.

“Atque utinam fas esset in unum ea colligere, ut tanquam ex naufragio, aliquae saltém tabulae salvæ remanerent posteritati. Sed multa interciderunt, multa etiam in antiquis bibliothecis recondita esse possunt, quae si lucem aspiciant, mirum quantum illustrabunt Hiberniam.”

ANALECTA of David Rothe. Pars 2^a Annot.¹

IN his introduction to the Historical Works of the Right Rev. Dr. French, the late Samuel Bindon makes the following statement: “There is no country in Europe with which the Irish have been more intimately connected than with Belgium. In every page of its history, ecclesiastical as well as military, we may read of our countrymen as distinguished for piety, bravery, and learning.” Ireland sent the faith to Belgium; and Irish martyrs, Rombaut, Livin, and a host of others, strengthened that faith with their blood. Ages rolled by; and when the sword was drawn against the faith in Ireland, Belgium welcomed to her shore the persecuted Irish. The nobles were honoured in the courts of the rulers; the prelates found peace in the sanctuaries, and comfort in the palaces of the bishops. The Irish merchants made homes for themselves in the Flemish cities; and the soldiers were received into the service of the Archdukes of the Netherlands.

The University of Louvain received the Irish in its ancient halls, and the *Fasti Academici* record their achievements therein. Thomas Stapleton, Doctor *utriusque juris*, was promoted to the highest dignity the University and city could offer, in being elected Rector Magnificus Academiae. Peter Lombard, later on Archbishop of Armagh, was honoured beyond his contemporaries; and to-day the traveller may see the portraits of Stapleton, and Lombard, amidst the portraits of the illustrious sons of their Alma Mater in the University Halls.² The Archbishop of Cashel, Dermot O’Hurley, left his professor’s chair at Louvain to receive the martyr’s crown in Ireland. The Primate of Armagh, Richard Creagh, when a prisoner in the Tower of London, in 1654, stated: “Being asked,

¹ Edition of 1884, M. H. Gill & Son, page 346.

² The Rev. C. P. Meehan had a copy taken of Archbishop Lombard’s portrait, which he presented to the National Gallery, Dublin.

what he would have done if he had been received Archbishop of Armagh, saith, he would have lived there quietly. Being asked what he would have done if he had been refused, he answereth that he would have gone to Louvain to his track again, as being discharged of his obedience." At the prayers of the exiled Prelates, priests, and nobles, the kings of Spain, and the governors of the Netherlands, founded and endowed colleges and convents for the exiled Irish, in which fugitive priests might find a resting-place, and in which young ecclesiastics might be trained up with a missionary spirit to keep alive the faith of their fathers amid the mountains and around the wells of holy Ireland. The history of these colleges has not been written; and the materials for composing that history were scattered, or destroyed, during the troubles of the French revolution, when the colleges were suppressed. In the *Archives du Royaume*, and in the *Bibliothèque-royale* at Brussels, as well as in the archives and libraries of the several towns in which there were Irish colleges, the writer found much information concerning these institutions, which, when connected with what has been already published by others, may prove interesting to Irish ecclesiastics, the successors of the missionaries sent from Belgium in those troubled years. The motto prefixed to his *Analecta*, by David Rothe, is offered as the motive for publishing these papers.—*Colligite quae superaverunt fragmenta, ne percant.* (John, vi. 12.)

In order to realize how opportune was the asylum afforded by Belgium, in those years, to our exiled countrymen, it is necessary to devote the remainder of this paper to show what was the religious and social condition of Ireland during the sixteenth, seventeenth, and eighteenth centuries.

1°. Before adducing the testimony of writers contemporary with the events, it is well to quote a passage from the late John Mitchell,¹ which epitomizes the history of these centuries: "Foreign usurpation and foreign religion were striding over their country hand in hand, and planting their footsteps together deep in blood and tears—deposing their chiefs, persecuting their bards, and

¹ *Life and Times of Hugh O'Neill*, p. 10. Mr. Labouchere, M.P., writes as follows:—"We have held our own in that country by means of barbarous laws and grinding oppression, by setting class against class, and by crushing out all legitimate aspirations with the sword, the gallows, and the prison. It is only of late that the sense of our wrongdoing has been forced upon us."—*Fortnightly Review*, Oct., 1885.

supplanting their ancient laws, and also prostrating their illustrious and hospitable monasteries, dishonouring the relics of their saints, and hunting their venerated clergy like wolves."

What Mitchell epitomized, is described in detail by the author of the *Historiae Catholicae Iberniae Compendium*, the illustrious Don Philip O'Sullivan Bear.¹ He served in the royal navy of Spain, and in his frigate wrote the sad story of his country. He concludes with an Epilogue alluding to the former grandeur and pomp of the Catholic religion in Ireland; and declares that the man who can without difficulty restrain his tears at the recital of Ireland's present (1618) wrongs and sorrows, must have a heart harder than flint; be of a savage nature; and have been nourished with heretical milk.²

The first outrage invariably committed against the faith, and devotion of the people, was a public desecration of their churches, and sacrilegious insults to the most Holy Sacrament.³ The relics, as well as the images and pictures, of the saints were burned: the priests, if not hanged or sabred, were banished; and the churches were converted into stables for the troopers' horses. The sacred vessels were turned to profane uses; and,⁴ for the utter destruction of religion, all missals, rituals, hymnals, and copies of the Sacred Scriptures, were destroyed. When the judges went on circuit, the assizes were held in the churches. Donatus Mooney tells us, that in Galway the court was held in the Franciscan Church, the judges being in the Sanctuary, using the High Altar as a judicial bench—the abomination of desolation in holy places; "in civitate Galviae, in ipso choro iudicibus sedentibus pro tribunali super altari summo, ad modum abominationis desolationis stantes in loco sancto."

2°. So far the churches; the priests fared as ill. "As the Tories and the wolves were killed down," writes Charles G. Walpole, in his *Kingdom of Ireland*,⁵ "so were

¹ Edited by Rev. Professor Kelly of Maynooth, and published by John O'Daly, Dublin, 1850.

² "Is profecto, aut esset animi calybe, et silice durioris, ferinis moribus indutus, et haeretico lacte nutritus; aut magna commiseratione motus lachrymas vix cohibere possit." p. 338.

³ "In Ibernia principio ab Anglis haec scelera committuntur. Christus redemptor in Sacro sancto Eucharistiae sacramento realiter presens ex ecclesiis, et vulgi conspectu depellitur," p. 76

⁴ *Analecta*, pp. 36 sq.

⁵ *Kingdom of Ireland*, Kegan Paul, Trench & Co.: London, 1882, p. 279. Cfr.: *Analecta*, p. 179.

the priests. Proscribed, hunted, and transported as soon as caught, they still hung about the country in all sorts of disguises and in all sorts of hiding-places, performing the offices of their religion in secret, and at the peril of their lives, to their scattered co-religionists. O'Sullivan Bear furnishes a list of twenty-two ecclesiastics, six of whom were bishops, who had been martyred in various ways prior to 1618; some were hanged and quartered; others, beheaded; more, strangled; and some, killed by the sword.¹ The *Analecta* of Bishop Rothe, and the *Historical Works* of the Rev. C. P. Meehan, supply additional names and particulars.

On the 4th July, 1605, a Royal Decree was published, commanding all Bishops, "Jesuits, seminary Priests, or other Priests, whatsoever," to quit the kingdom before the 11th day of December following. This Ordinance was renewed in July, 1611. A few extracts from the correspondence of Sir Arther Chichester, the then Lord Deputy, will give an insight into this period. "Many Jesuits, and seminary priests," he writes in September, 1606, "flock to Ireland, where they do much harm; and every house and hamlet being a sanctuary for them, they are seldom apprehended." In 1610, on the 10th of March, he writes: "when an officer or soldier lays hold of a priest within their garrison, the young men and women of the city make a rescue with ill-usage and blows." Writing to Salisbury in 1611-12, he states: "how a titular bishop and a priest being lately executed here for treason, are notwithstanding thought martyrs by them and adored for saints." The Earl of Thomond writing to the Secretary in 1607, is more emphatic in his language: "The most of the devilish priests and seminaries are relieved in the county of Tipperary, in Waterford, Clonmel, Cashel, some few in Cork and Limerick. It is impossible for the officers to lay hands upon them; for the officers are no sooner known to come into the country but the priests are presently conveyed away."²

By an Act of William III. (9. Will. III., c. 1), it was ordered: "that all bishops, Jesuits, monks, friars, and regular' clergy, should depart out of the kingdom by May 1, 1698, or suffer imprisonment until they could be transported to the continent. Any who should venture to return were held to be guilty of high treason, the punishment for which was hanging, drawing, and quartering. Those who came into the kingdom for the first time

¹ *Cath. Iberniae*, p. 76.

² *Analecta*, pp. cvi., viii.

were to be liable to twelve months' imprisonment, and to be transported to the continent; and on their return would be equally guilty of high treason. Any person knowingly relieving any of the aforesaid clergy, was to be liable for the first offence to a penalty of £20, for the second of £40, and for the third the forfeiture of his lands. This statute was re-enacted by 2 Anne, c. 3.¹

Added to the dangers, which beset a priest when actually in Ireland, were many others he had to encounter in his voyage from the continent. He had to assume the strictest disguise, as the foreign ports were infested with British spies, and the sailors and his fellow travellers were certain of rich rewards for his betrayal. The Irish ports were watched, and all comers closely examined. Besides, in those days, the seas were scoured by pirates. Bishop Rothe gives minute details concerning all those dangers in his *Analecta*.² Yet all these dangers of the voyage, and all the rigours of the life awaiting them in Ireland failed to keep out the bishops and priests. Their unflinching devotion to faith and fatherland was described in the figurative Irish poem, which has been translated by Clarence Mangan:—

Oh! my Dark Rosaleen,
Do not sigh, do not weep!
The priests are on the ocean green,
They march along the deep.
There's wine . . . from the Royal Pope
Upon the ocean green;
And Spanish ale shall give you hope,
My Dark Rosaleen!
My own Rosaleen!
Shall glad your heart, shall give you hope,
Shall give you health, and help and hope,
My Dark Rosaleen.

* * * * *

I could scale the blue air,
I could plough the high hills;
Oh! I could kneel all night in prayer,
To heal your many ills!
And one . . . beamy smile from you
Would float like light between
My toils and me, my own, my true,
My Dark Rosaleen!
My fond Rosaleen!
Would give me life and soul anew,
My Dark Rosaleen!

¹ *Kingdom of Ireland*, p. 335.

² P. 424.

3°. Special Laws were enacted to restrain the people from practising their religion; from educating their children, unless as Protestants; and from holding or possessing any property with fixity of tenure, and, in a word, from the enjoyment of any rights.

In 1617, Justice Palmer, when on circuit, declared it to be an act of high treason to assist at Mass; and high treason, was punished by hanging, drawing, and quartering.¹ Oliver Cromwell, in 1649, declared: "I meddle with no man's conscience. But if by liberty of conscience you mean a liberty to exercise the Mass, I judge it best to use plain dealing with you, and to let you know, where the Parliament of England has power, *that will not be allowed.*"² Statutes were passed ordering that Catholics should attend Protestant services on Sundays and Holidays, under a fine of 12 pence for each omission. It was ordered that baptisms and marriages should take place in the Protestant churches, under penalty; and in the case of marriages, under pain of legal invalidity. Those guilty of misdemeanours under the latter clauses, were forced to stand at the market-cross, dressed in a ridiculous linen garb, and in the churches, at certain hours, bearing a tablet with an inscription: *On account of marriages and baptisms against the statutes.*³

The people, harassed by vexatious laws, and impoverished by heavy fines, were truly miserable. Their priests were banished, and their religion a crime. In the churches they beheld the abomination of desolation. The face of the Lord was turned away and his hand rested upon them; yet, like Job, they would not sin. Secretly they stole to assist at the Sacrifice of the Mass which was offered up in hiding-places, in the towns, and amongst the mountains in the country. We are told in the *Analecta*,⁴ how great was the anxiety of the people to fulfill the precept of annual confession and Holy Communion; and even Bishop Rothe was astonished at the eagerness of the faithful to assist at sermons. They made long journeys, and endured great hardships in order to hear these discourses; and came, as the whelps, to "eat of the crumbs that fall from the table of their masters;" for the violence of the persecution permitted unto them

¹ *Analecta*, p. 250.

² *Kingdom of Ireland*, p. 262 sq

³ *Cath. Iberniae*, pp. 340-1, nn.

⁴ pp. 205-6.

but "spare bread, and short water." Matt. xv. 27 ; Isa. xxx. 20.¹

It was reserved for Queen Anne to take from the Catholics the only religious liberty left them. When deprived of their churches, and their priests, the people resorted in great numbers to what was an old devotion in the country. They visited the holy wells, and joined together in prayer, making likewise a station at the wells.² But an Act provided: "All pilgrimages to St. Patrick's Purgatory to Holy Wells were to be deemed to be riots, and unlawful assemblies. The penalty for being present was 10s, and if the fine was not paid the culprit might be publicly whipped at the cart's-tail."³ Persecution was urged to the bitter end in this reign. "It was further provided that no one should bury in the precinct of any suppressed abbey, monastery, or convent, under a penalty of £10 ; that no chapel should have either bells or a steeple. Magistrates were enjoined to suppress all friaries, and to apprehend all unregistered priests ; and in order to guard the guardians, it was enacted that a magistrate who neglected his duty should be liable to a fine of £100, and be disabled from serving as a justice of the peace for life."⁴

By an Act of Parliament, 8 Anne, c. 3, "any two magistrates were empowered to summon any papist before them to give evidence on oath as to when, where, and by whom, he had heard Mass celebrated, and who was present: refusal to answer was punishable by £20 fine or twelve months' imprisonment."

We Irish are often taunted with national ignorance and national poverty ; but neither our ignorance, or our poverty are without a cause. We find the adequate cause of both in the penal legislation. "The impossibility of stamping out a religion by Act of Parliament had been effectually demonstrated, but this ferocious statute goes on to enact the most stringent endeavours in that behalf, and endeavours

¹ "Sed et istud est singulare, quanta soleant aviditate, ut quam longinqua faciant aliquando itinera ut concionibus sacris intersint ; transiliunt colles, saltus, et nemora ; per diem et per noctem magno agmine accedit populus, ceu catuli famelici ad micas de mensâ dominorum decedentes, accurrunt ad verbum Dei audiendum ; qui panem arctum et aquam brevem facit vicinitas et violentia alienae professionis hominum a quibus circumventi sunt, et undequaque circumfusi." pp. 205—6.

² *Analecta*, p. 297, et alibi : conf. *Cath.-Ibœniæ*.

³ *Kingdom of Ireland*, p. 340.

⁴ *Kingdom of Ireland*, p. 336 ; ib. 342.

at any rate to secure the helplessness of ignorance for the Roman Catholics; if their conversion could not be achieved.

A Papist schoolmaster was to be liable to the same penalties as a Papist 'regular,' and no person was qualified to be a schoolmaster unless he should take the oaths at the assizes or sessions.

Rewards were announced for the discovery and convicting of Romish functionaries according to the following scale: For an archbishop or bishop, £50; for a friar, Jesuit, or unregistered priest, £20; for a schoolmaster, £10."

But ignorance was sought as an ally long before the time of Queen Anne. Towards the close of the sixteenth century it was a misdemeanor to send children to Catholic schools or colleges, even on the continent. Nor was it lawful to ask licence to send them until the obnoxious oath of the sovereign's supremacy was first taken.

Protestant grammar schools were established, and richly endowed, in the provinces; and Acts were passed to enforce the attendance of the youth, which meant that the Catholics were to apostatise, or remain in ignorance. O'Sullivan Bear tells us that, despite the laws, the Catholic youth were taught at home by their parents and the priests; and the Protestant masters not wishing to abandon one source of their revenues, arranged with Catholic masters, who were still to be found, that they should have one half the fees, and the actual masters, the other²

In some places, the priests could with difficulty be found even for the baptism of the infants; and the youth only knew the truths of Religion from the teaching of their mothers and nurses. The adults had no opportunities of studying doctrinal works, nor even in some cases of consulting the priests, or the learned laity; and with all these difficulties against them, young and old would die for the faith that was in them.

On the accession of Charles I., 1626, there was a lull in the persecution, and "even a Roman Catholic seminary was opened, and a body of Carmelite friars ventured to establish themselves in Dublin. The result was a furious outcry on the part of the clergy and Protestant faction. The Popish college was seized, and handed over to the

¹ *Analecta*, p. 36.

² *Cath. Iberniæ*, pp. 293-4; and p. 133. ³ *Kingdom of Ireland*, p. 212.

University of Dublin, and the friars were driven from their monastery by a file of musketeers."¹

So far the religious condition of the people has been considered. On looking into their temporal condition a sorrowful picture presents itself. Plantations had been made in the north and south; wars had been raging, with its horrors intensified by the party feelings of race and faith. The Irish were worsted in a great struggle, and the state of the country in 1603, is thus pictured by a master-hand.¹ "Mountjoy and Carew had now stamped out every spark of rebellion in every part of Ireland. The power of the Irish was completely broken by the process of starvation. The system pursued both in the south and in the north of destroying the crops, removed the whole source of sustenance on which the mass of the people depended. To add to the loss of the food at hand, Elizabeth's practice of debasing the coin had doubled and trebled the price of every purchasable article, and a fatal pestilence had followed upon the famine. The people of Ulster died of hunger by thousands."

But another woe awaited Ireland, 'the curse of O'Crummell. An Act for the settling of Ireland was passed in 1652; and the settlement meant the transplanting of the Irish to Connaught or another alternative which the Ironsides thought themselves divinely empowered to offer the papists. The disbanded Puritans were to receive the evacuated lands, and death was the penalty awaiting the former owner, were he to return from his allotment in Connaught.² Courts-martial were sitting in several places, and short work was made of those suspected of, or charged with treasonable offences.

The disbanded Irish soldiers were encouraged and assisted to emigrate to the Continent, and when they had gone, their wives, sisters, and daughters were shipped to the West Indies, or sold by the slave dealers of Bristol to the planters of Barbadoes. Better had death in its worst forms struck them down in Ireland. Between 6,000 and 7,000 women and girls were shipped, until some Englishwomen were seized by the dealers, when the practice was put down by law.

The planting and transplanting was carried out; the gentry and nobles were in exile; those remaining in the

¹ *Kingdom of Ireland*, p. 169.

² *Kingdom of Ireland*, chap. vii, Book iv.

planted provinces were oppressed, and those sent to Connaught were swindled out of their allotments by the Commissioners at Athlone or by their agents. The merchants were cast out of the cities, and betook themselves to the continent; and the bards sang the ruin of their country amidst the mountains, while the remnant of the people listened in deepest sorrow. Some of these laments of the bards have been translated into English, and are more graphic than the pen of the historian:

War and confiscation
Curse the fallen nation;
Gloom and desolation
Shade the lost land o'er.

Chill the winds are blowing,
Death aloft is going,
Peace or hope seem growing
For our race no more.

* * *

Nobles once high-hearted
From their homes are pasted.
Scattered, scarred, and started
By a base-born band.

Very many quotations could be made from the numerous laments, and dirges of those blood-stained centuries, many of which have been translated by the matchless pen of Mangan, and a Jacobite relic, *Kathleen-Ny-Houlahan* opens with this stanza:

Long they pine in weary woe,
The nobles of our land,
Long they wander to and fro,
Proscribed alas! and banned;
Feastless, houseless, altarless,
They bear the exiles brand;

But their hope is in the coming-to of Kathleen Ny-Houlahan!

From the south rose the Lament of O'Gnive, and a southern poet, Callanan, has rendered it into English. It opens thus:

How dim is the glory that circled the Gael,
And fall'n the people of green Innisfail;
The sword of the Saxon is red with their gore,
And the mighty of nations is mighty no more!

The year 1700 is reached in our history, and here is the picture it offers: "Disfranchised, disinherited, disabled from exercising the most ordinary civil functions, the Roman Catholics, the bulk of the Irish nation, endured all the social and moral disadvantages, all the contempt, all the bitter sense of injustice of a subject race. With no room for honourable ambition, no scope for enterprise, they were condemned to the swinish existence for which the evil of the day is sufficient, and which takes no thought for the morrow."¹

The old Catholic gentry were ruined; the people were impoverished, dispersed, and forced into ignorance, and weighted by Penal Laws, which headed them downwards; yet still, amidst them, moved and worked their priests, who, sharers of their trials, were loved by the people. They broke to them the "spare bread," and gave to them "the short water" mentioned by Isaias; "and but for the persevering energy of the registered priests, who, despite the Penal Code, in the wilder country ventured to open schools, and in the less remote districts taught the ragged children the elements of education in the fields and by the roadside, every spark of religion and knowledge would have died out from end to end of the island."²

The preservation of the Faith in Ireland during these dreadful trials was due to the devotion of the priests who braved the Penal Laws; and to the Irish colleges of Spain, France, Rome, and Belgium, where those apostolic men were prepared for the vineyard and the martyr's crown, Catholic Ireland of to-day owes the tribute of fond recollection and heartfelt gratitude.

As these papers are intended to illustrate the relationship that existed between Belgium and Ireland, the notices of other than Belgian colleges are left to more worthy hands.

J. P. SPELLMAN.

¹ *Kingdom of Ireland*, p. 347.

² *Kingdom of Ireland*, p. 371.

GLIMPSES OF ELIA.

IT is now more than sixty years since there appeared, principally in the *London Magazine*, certain Essays of a very unusual character. They bore a consistently strange signature—"Elia." They treated of miscellaneous topics: literary questions were discussed in them with considerable ability; they passed strictures on the productions of modern painters, gave a detailed account of the first introduction of roast pig into the culinary programme, and propounded certain novel and ingenious theories relative to the genealogy of sweeps. Who the writer of these essays was, few seemed to know, and as few seemed to care. The name of Elia was not then powerful enough to attract much attention. Since that time, however, we have learned much about the concrete identity. There are few but know that Elia was no other than Charles Lamb. His Essays have perpetuated his name; and if they do not give him a right to be classed among great writers, they establish for him at least a claim on the considerate attention of posterity. He may not be what is called one of the great lights, but he is nevertheless a writer of recognised literary standing—one of the smaller luminaries, and one, moreover, whose eccentric and erratic character will long supply abundant food for the speculation of the curious.

If we wish to understand Lamb properly, it is to his Essays we must go; they partake in a peculiar manner of the nature of autobiography; they mirror the mind and whole character of the writer, thus presenting us with a better image of him than we could possibly find elsewhere.

Few people will be able to turn over the pages of Lamb's Essays carefully without deriving much instruction and amusement therefrom. There are many things in the Essays which will possess a great charm for such as admire eminent qualities of intellect and heart; but it may be that many will discover a great deal to modify considerably their general estimate of Lamb.

Charles Lamb was not by any means a great scholar. If he had great talent, he certainly does not seem to have had much opportunity of cultivating it. The time spent at Christ's Hospital was comparatively short; and, according to all accounts, it was not a very suitable place for the education of a future essayist. It was but ill adapted for

imparting that higher-toned education which aims not only at conveying knowledge, but at exciting those powers of the mind and imagination which, once set to work, travel over extensive fields of thought, and thus of themselves gain rich treasures for the adornment of the mind. Indeed there is no evidence to show that Lamb displayed any signs of more than ordinary genius at school. There was certainly none of those mental phenomena observed in him which usually distinguish the schoolboy days of celebrated men. His records were those of the ordinary scholar, anxious to learn something every year, but above all to have a comfortable and pleasant time. He learned, of course, the rudiments of Greek and Latin, or perhaps a little more than the rudiments; but his favourite study seems to have been English literature, especially old, out-of-the-way writers.

There is no indication in the *Essays* of much proficiency in any branch of knowledge beyond this. The subjects which Lamb selects for his *Essays*, whatever recommended them, were certainly but seldom such as required much general knowledge. Even where learning could be displayed with great advantage to the reader, Lamb can do little more than express his own whims and fancies. It is strange that, though he mentions and quotes Shakspeare so often, he makes no allusion to the questions of Shakspearean study, which were then agitating the world of literature, and which Lamb's own friend, Coleridge, was at this time doing so much to elucidate. The only information he can favour us with is that he prefers Shakspeare in old, moth-eaten binding. He devotes a whole paper to a dissertation, if it may be so called, on *Temple's Essays*, and makes reference to the part he took in the controversy about ancient and modern learning. Persons interested in the controversy would have excused the digression if he had taken occasion to brand Temple's impudence in issuing his flats about one ancient language at least, in respect to which the state of his mind might be described as one of hopeless ignorance. In another place Lamb makes a pompous list of books which he designates no-books. Perhaps it was not done seriously; but at any rate his selection is based on no principle of scholarship or philosophy.

Notwithstanding all this there is no gainsaying the fact that Lamb, in his own way, contributed a good deal to the advancement of learning, and particularly

of Shakspearean study. It is questionable whether, after all, he has not done more to promote the study of the Stratford poet than even Coleridge, who went about lecturing on Shakspeare and his hitherto undiscovered beauties. Lamb did his part in a quiet, unobtrusive way. The sum of his work was to quote Shakspeare and to quote him often. If he proposed this to himself, he has certainly succeeded admirably. He quotes, or rather misquotes, Shakspeare more frequently than any other writer with whom we are acquainted. Misquotations, unless affected, show greater familiarity with an author than correct quotations, which generally presuppose the open book. But whether he quotes incorrectly or otherwise, his system is well calculated to awaken interest in the old writers with whom he is so conversant. Men are influenced very much by what others do and say; and in literature we can observe that nothing contributes so much to form our taste and determine the direction of our studies as impressions derived from the criticisms of others. This is no less the case where the criticism is not conveyed in so many words, but is made sufficiently clear by the acts of a writer, and by the bent of his own inclinations. We shall not be far astray in believing that Lamb's misquotations are attributable not to any affectation, but to his aversion to the labour of verifying the impressions carried away from the perusal of his favourite authors. If this be true, then his perusal of these authors must have been very frequent indeed; for he is quite at home with them, and is able, whenever he thinks fit, to clothe his own thoughts in the beautiful garb which Shakspeare and Milton and the rest provided. It is difficult sometimes to know when the words used are his own, and when they are the property of some old writer. His mind is full of strange, fanciful ideas, and as he looks forward to express them, the old authors come and obtrude themselves with rich stores of words and kindred thoughts. They are always at hand, like ministering sylphs or gnomes, ready to supply his wants. Lamb relates somewhere an incident which gives a key to the explanation of his practice with regard to the old writers. He relates how on one occasion, when he was striving to gain an entrance to the theatre in which the young Belfast boy, Betty, was to perform, he persisted amid the rush of the crowd, and some not very complimentary allusions to his course of behaviour, in reading certain passages in Hamlet. If this can be taken as an

indication of his general conduct, it is not much wonder that he should have but little difficulty in quoting Shakspeare, and in creating an interest in that poet's writings.

But if Lamb's Essays have the effect of giving an impetus to the study of Shakspeare, this advantage is certainly in a manner balanced by the inconvenience it entails. It makes his writings altogether quaint, and, to the great mass of readers, unintelligible. Lamb, of his own resources, uses a great number of words which are likely to be puzzles to many, especially the young. But when to his own not very intelligible coinage, and to the unwieldy plunder of out-of-date dictionaries, he adds numberless antiquated words and expressions from the English ancients, then woe betide the unbookish wight that dare unravel him! It is bad enough to have to unfold the sense of Drayton or Marlowe; but when we come to such literary curiosities as Lamb's Essays, the task is altogether frightsome. We have not here the old monumental slab itself, but a piece of modern marble inscribed with some stray old characters without any landmarks near to guide us to their explanation. We meet unusual words, strange forms of expression, old words with a modern meaning, or used to convey modern ideas, with many other philological anomalies. Frequently there is the same lack of perspicuity in the arrangement of words and construction of sentences that we discover in the choice of the words themselves. His sentences are often hopelessly embarrassed, and twisted into every shape and form. We stumble at every step upon unexpected parentheses, we meet numerous inversions of clauses, cases of non-sequence of construction, relatives exiled from their antecedents, adjectives referable to several nouns; we meet, in a word, a host of things which the correct writer will always be very careful to avoid.

In the face of such facts it will seem strange that Lamb should ever attain any considerable reputation as a writer. There are many things, however, in Lamb's Essays, that assist much to counteract the evil influence of his faults. There are passages, and numerous passages too, which cannot be charged with any of the faults referred to. There are passages which captivate us by the perspicuity, simple grace, and sublimity of the language. In comparison with them some of the best efforts of our foremost writers will appear with disadvantage. For grammatical propriety, beauty of language and sentiment, it would be difficult to

find anything to surpass the Essays on "Dream Children" and "Mackery End." In such places as these Lamb is seen to the best advantage. It is not, however, on the casual display of great powers that Lamb's title to fame rests. There are qualities, characteristic qualities, observable throughout his Essays, which have raised him high in the estimation of the literary public. His deep-feeling and fine humour have not failed to charm his readers. It was the qualities of the man's own character that formed the inspiration of his writings. Read in the light of the tender-hearted, affectionate Elia, his Essays assume a new form, possess altogether a new interest for such as admire self-sacrifice and love of home and friends. So much, indeed, does love of home and its associations permeate all his Essays, that it is impossible to lose sight of it long. It is a fragrance diffused everywhere around, agreeable and pleasing to us.

Few writers lived so much on home joys, made the material home so much the true home of the heart, as did Elia. It was not on account of having no different topics to write on, that he made home associations the constant theme of his effusions. There was no want of topics at the time when Lamb contributed his Essays to the *London Magazine*. In the social and political world there was much that could engage the pen of the philanthropist or the reformer. In England discontent and strife had succeeded the joy and national exultation consequent on the overthrow of Napoleon. A new sovereign ascended the throne; his first act, when he became king, was to attempt the divorce of his consort Caroline. He failed in the attempt, and was only successful in adding fuel to the conflagration. Accordingly, in England there was no dearth of topics. Englishmen could have found another if they had turned their eyes to a little neighbouring island, and observed there the efforts of an oppressed sect and nation "struggling to be free."

All these things, however, had but little interest for Lamb. The great political world might move from day to day, and witness new vicissitudes of fortune, but it dragged not Elia with it in its motion. Republics arose and fell to pieces; tyrants filled the chair of power, and were hurled from it by the efforts of determined freemen; revolutions in politics and religion followed each other in quick succession. But all these fluctuations of fortune affected not Elia. His world was not abroad among con-

tending factions or powers; no, it did not extend far beyond himself, no stranger hardly ever durst enter it, it was sacred ground on which none but a chosen few might tread. We cannot help admiring the man in whom home affections took the place of all those selfish passions that held such sway during the excited times in which he lived. Lamb was able to confine his view within the narrow domestic circle, and to appreciate the beneficent dispensation of Providence in binding by domestic ties members of the same family together. Surrounded in our youth by brothers and sisters we receive impressions of mind and heart which never leave us. Their influence extends even into the advanced periods of life, when we meet with various difficulties, and require a beacon-light to which we may sometimes look. The hand of friendship will be extended towards us when strangers turn away from us disdainfully. Even when friends are absent from us, the memory of them awakens many pleasing recollections. The season of childhood, when all was innocence and mirth, comes back again to enliven hours of toil or weariness. We wander back in thought to the happy fireside, around which brothers and sisters often sat and conversed together, to the fields in which they played and gathered the primrose and the hawthorn-blossom. These were surely happy days, fit to give a foretaste of what awaits good children in the distant country beyond!

Charles Lamb had the same feelings as so many others with regard to the friends and scenes of boyhood. He tells us himself, "that the *toga virilis* never sat gracefully on his shoulders. The impressions of infancy had burst upon him, and he resented the impertinence of manhood." Born within the precincts of the Inner Temple, the old place where he used to play as a child always retained a hold on his affections. The place of his "kindly engendure" where he had often made the fountain play, and had watched the stately old Benchers, made too great an impression on his meditative mind to be easily forgotten. He remembers all the old Benchers, and amongst the rest Mr. Samuel Salt, to whom Lamb's father, Lovel, was clerk. Lamb describes this Lovel for us. He is naturally the first in Lamb's domestic circle. We get also a full description of John Lamb and of the visits the two brothers used to make to Grandmother Fields. Indeed Lamb seems to have entertained feelings of love and tenderness for his brother John. It was his sister Mary,

however, that in a special manner absorbed his affections. On her account he sacrificed nearly all the pleasures of life. His feelings towards his helpless sister were those of a true-hearted brother, who wished to make every tie of affection yield to the love which he thought due to her. He fore-went amusement, and the society of friends to attend on his sister. He often sat in their own house during the live-long day, and sleeping by the fireside he dreamt of ones that were, and of ones that "might have been." He awoke only to find himself in his "bachelor arm-chair," beside the poor sister for whom he had relinquished all. It was indeed the love of this sister, and of his friends and home, that was the animating principle of his Essays. It stands out prominently at least in those beautiful passages where we admire most the tenderness and pathos of Elia.

Next to those qualities we have been considering, that which characterises Lamb most is his fine humour. Lamb was by nature of a mirthful disposition. Sorrow had, it is true, thrown its sombre shadows across his path, but it was unable to dim the native gladness of his soul. If he ever felt motions of the spirit opposed to joy, he strove to control them as much as possible; whilst it is chiefly to his cheerful disposition that we owe the rich vein of humour that pervades all his Essays. It was this disposition of his that enabled him to discover, as few others could, the ludicrous side of every subject he took in hand. Even when treating of serious subjects he has no difficulty in relieving the monotony by some humorous allusion. Every school-boy will enjoy thoroughly his description of Christ's Hospital and its surroundings. Such as take an interest in dietetic literature, will appreciate Lamb's dissertation on a certain favourite con-comitant of the dinner-table. His Essay on "Chimney Sweepers" loses none of its relish from the fact that it makes rather extravagant demands on our credulity. The Essays on the "Decay of Beggars," the "Chapter on Ears," "The Bachelor's Complaint," are all characteristic of Lamb.

There are numerous other features in Lamb's character which it would be interesting to examine in the light of the information which his Essays supply. Of his meditative turn of mind we can form an opinion from his recollections of the Old Benchers, his Essay on "Dream Children," his impressions about the First Play, his conduct at Grand-mother Fields, when he went out to hold converse with himself under the orange trees, or on the banks of the pass-

ing rivulet. Of Lamb's humane disposition we can judge from his kindly feelings towards the sweeps, from his opinion about the black-balling of his brother from a certain Relief Society, from his commiseration of the unfortunate generally, but above all from his conduct towards his sister. Lamb was also a great lover of nature; habit had perhaps made the town more genial to him than the country, but no one could admire more than he the superior beauty of the work which came from the skilful hand of nature.

It is said that Lamb was excessively fond of tobacco. Whether this be true is a question on which, no doubt, momentous issues depend; but unfortunately it must be left to the researches of future scholars. Even Lamb's own admission on this point is scarcely decisive.

With regard to his alcoholic propensities, there is not much room for doubt. The "Confessions of a Drunkard," however, should not be taken as a correct representation of Lamb's faults in this respect. No drunkard of the character he describes could have given to the world the Essays which bear Elia's signature. He speaks, nevertheless, like one who had some experience of what he describes; thus he has the advantage of many able advocates of temperance, whose best eloquence could not equal that of the homily Elia has delivered.

There are perhaps other even salient points in Lamb's character which have not been touched upon in these few scattered remarks. If, however, enough has been said to stimulate public interest in a remarkable man, a great deal will have been gained in the cause of literature and of virtue. It is a very praiseworthy work to explain the nature of the rich treasures of some mid-ocean island; but surely it is no profitless labour to point out the "unfathomed caves" themselves, where these treasures may be found. Those that are in quest of literary excellence will find gems of purest ray in the pages of Lamb's Essays. Such as are in pursuit of models of moral greatness will discover most of the jewels that go to adorn virtue sparkling in the character of Elia.

J. M'CULLAGH.

LITURGY.

I.

May Laics touch Corporals and Chalices with permission of the Bishop?

Is the permission of a Bishop sufficient to authorize Nuns to give the first washing to Corporals, Purificatories, and Palls; to touch Chalices, Ciboriums, and Pixes.

The Sacred Congregation answered the following case in the negative.

“Ultrum Moniales, seu pia^e Foeminae vitam communem sub regula degentes possint cum licentia Ordinarii abluere Corporalia, Pallas, Purificatoria. S. R. C. resp. *Negative*. 26 Sep., 1857 (5231, n. 30.)

The Bishop, then, seems to require special faculties for this purpose.

It is different, however, in regard to the touching of the purified chalice, pixes or lunette. The Bishop can give leave to laics to touch these articles.¹

II.

Burial on Sunday—Requiem Mass on Monday.

When one dies on Friday and is buried on Sunday, it is the the custom in many places to celebrate a High Mass de Requiem for the deceased person on the next day, Monday, even though it should be a double. Is this lawful?

I should say yes; provided it is considered necessary to bury the person on Sunday, and the priest cannot say the Requiem Mass without interfering with the congregational Mass for the people.

“An iis in locis ubi una tantum celebratur Missa diebus Dominicis et festivis per annum (non tamen solemnioribus) dum aliquis mane sepelitur et Missa dicitur ante sepulturam, corpore praesente, debeat, haec Missa dici *de Requiem*, ut in die obitus, vel potius tanquam Missa conventualis cui populus assistit, debeat cantari de die et Missa *de Requiem* transferri ad primam diem non impeditam.” S.R.C. resp. *Negative ad primam partem, affirmative ad secundam.*

The Congregation has frequently decided that if a Requiem Mass cannot be celebrated on the day of burial, and that the burial cannot be postponed till next day, a Requiem Mass may be celebrated on the following, provided it is not a double of the first or second class, or a feast of obligation. See S.R.C. nn. 4526, ad 43; 4822. *da* 1, 2; 4840 *ad* 1; 4888 in Gardellini's *Decreta Authentica* (Edit. 1858).

¹ De Herdt, *Praxis Liturg.*, Tom. i., n. 175, 3.

CORRESPONDENCE.

LITURGY.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

REV. DEAR SIR,—It occurs to me that the accuracy of the reply to the Sixth “Liturgical Question,” in the current Number of the RECORD may be well questioned. In my opinion, it is not sufficient to kiss the unconsecrated table of the Altar. The Rubric assumes that the table is consecrated. An unconsecrated table is not an *altare* at all in the eyes of the rubricist. Hence, the kissing of the unconsecrated table cannot satisfy the rubric. The portable altar-stone is the only consecrated part, in the case put by C. C., and is, therefore, I submit, the part to be kissed by the officiating priest.

QUONDAM, C. C

Our argument for the decision we gave was grounded on the fact that the word “*Altare*” occurring so often in Section IV. of the *Ritus servandus in celebratione Missae*, is applied not to the altar-stone itself, but to the altar table.

But our correspondent says “the rubrics assume the table to be consecrated.” How is this shown? If so, the rubrics cannot be observed at a non-consecrated altar-table—for many of the things prescribed are not intended for and cannot be performed on the mere consecrated altar-stone.

And yet the rubrics are obligatory even at such altars.

FREQUENT COMMUNION.

DEAR MR. EDITOR,—All Missionary priests who are readers of the ECCLESIASTICAL RECORD, have reason to feel thankful to C. J. M. for the very able papers he has contributed to its pages on “Conditional Absolution,” and other subjects. Might I take the liberty, through you, Mr. Editor, of asking him to take up the subject of “Frequent Communion,” under which would be included Holy Viaticum. An exposition of this important subject from the pen of C. J. M. would, I am convinced, be welcome to very many readers of the RECORD, and entitle him to an additional claim on the gratitude of his fellow-labourers in the sacred ministry.

Yours, &c.,

J. H., C. C.

C. J. M. has kindly consented to treat the subject mentioned. The Essay will appear in an early number of our enlarged RECORD.—ED. I. E. R.

DOCUMENTS.

RESOLUTIONS PASSED BY THE IRISH BISHOPS AT THEIR LATE MEETING HELD AT HOLYCROSS COLLEGE, CLONLIFFE, OCTOBER 7TH.

SUMMARY.

The Education Question and Proportionate Endowments—The Queen's Colleges and Trinity College—The Intermediate Act—The National System—The Endowments' Commission—The Training Colleges—Condemnation of Acts of Violence.

“1. That the Catholic people of Ireland are entitled to share, in due proportion, in the public endowments for University education, without being obliged to make any sacrifice of their religious principles.

“2. That at present those endowments are almost entirely applied to the maintenance of a system of education which has been repeatedly condemned by the Catholic Bishops of Ireland and by the Supreme Head of the Catholic Church.

“3. That the continued exclusion of the Catholics of this country from their due share in the aforesaid endowments is not only a serious obstacle to the progress of education, but is a great and irritating grievance, calculated to keep alive a spirit of disaffection and discontent.

“4. That we renew our condemnation of the Queen's Colleges and of Trinity College, Dublin, and warn Catholic parents of the grave dangers to which they expose their children by sending them to Institutions conducted on a system repeatedly condemned by the Holy See as intrinsically dangerous to faith and morals.

“5. That the small proportion of students in Arts of the Royal University who attend the lectures of the Queen's Colleges affords a clear proof that these Colleges, on which the endowments of the State have been so lavishly expended, have failed to bring home the advantages of Collegiate education to the great body of the academic youth of Ireland.

“6. That we claim our due share also in the public endowments for Intermediate Education on such conditions as are consistent with Catholic principles.

“7. That with respect to the Educational Endowments (Ireland) Act, recently passed, we feel called upon to declare that the changes hurriedly made in the Bill, in

Committee of the House of Commons, have grievously disappointed the hopes that were raised when the Bill was introduced by the late Government, and will injuriously affect the interests of the Catholic body.

“8. That we feel bound to protest in the strongest manner against the constitution of the Commission appointed under this Act, in which Catholics are again placed in a minority, notwithstanding that their claims to a due representation on all Educational Boards was, immediately before the passing of the Act, pressed on the attention of the Government in a Resolution of the Bishops.

“9. That this unequal treatment of the Catholic body is the more striking and the more obviously indefensible, inasmuch as the boys of the Catholic schools have carried off more than 60 per cent. of the Prizes, Exhibitions and Medals awarded by the Intermediate Education Board during the last four years.

“10. That we call on the Government to reconsider the constitution of this Endowment Commission, so as to give to Catholics their due proportion of representation thereon; and we declare our opinion that if no action be taken to give effect to our claim, the Catholic Commissioners should at once resign.

“11. That without referring to other defects in the so-called National system of education, we protest against the manifest inequality with which the denominational Training Colleges are treated, as compared with the official Training College under the management of the National Board.

“12. That we hereby adopt and renew the following resolution passed by the Episcopal Education Committee in July last—‘That on commissions or other public bodies appointed for Educational purposes; we claim, as a matter of justice, that the Catholic body should have a representation proportionate to their numbers; and that the Catholic representatives should be persons enjoying the confidence of the Catholic body.’

“13. That we rely on the Irish Parliamentary Party to assert by every constitutional means in their power, the rights of Irish Catholics in matters of education; to press forward their claims to a due share in all public endowments for educational purposes; and to oppose all Parliamentary grants by which the present unequal and unjust distribution of those endowments is maintained.

“14. That we regret and condemn the acts of violence and intimidation which have recently occurred in some parts of the country.

“Though alive to the provocation given to the tenant-farmers of Ireland by the landlords, who in these times of agricultural and commercial depression refuse reasonable abatements, we warn our flock against those illegal and immoral excesses, which, if continued, could not fail to bring down the anger of God on those who are guilty of them, and disgrace in the eyes of the civilised world those districts of the country in which such outrages occur, and in some measure our country at large.

“We have read with much satisfaction the condemnation publicly and repeatedly pronounced by the leaders of the Irish Parliamentary Party, and other notable Irishmen, against these outrages, and we have no doubt that their view of the political consequences of such acts will be universally accepted by the people.

“✠ WILLIAM J. WALSH, Archbishop of Dublin,
Chairman.

“✠ BART. WOODLOCK, Bishop of Ardagh }
and Clonmacnoise, } *Secretaries.”*

“✠ MICHAEL LOGUE, Bishop of Raphoe, }

INDULGENCE OF THE PRIVILEGED ALTAR.

SUMMARY.

When a priest is under an obligation to apply the Indulgence of the Privileged Altar, he does not fulfil his obligation except by the application of this particular Indulgence. It will not be sufficient to apply instead of it an ordinary Plenary Indulgence to the relief of the souls concerned.

URITANA.

Cum in Theologia Morali auctore Petro Scavini edit. 11, l. 3, pag. 229 s 283 : apud Ernestum Oliva Mediolani biblioth. edita 1869 sic scriptum reperiatur. “Ex responsione S. Cong. Indulgentiarum 11 Apr. 1840. Sacerdos debet celebrare in paramentis nigris, diebus non impeditis, ut lucretur Indulgentiam Altaris privilegiati.” Hinc quaeritur 1 an niger color sensu exclusivo debeat intelligi, ita ut Indulgentiam Altaris privilegiati non consequatur qui v. g. ad ministrandam Eucharistiam per modum sacramenti cum paramentis violaceis Missam de Requiem celebret? 2. Utrum qui hac vel quacumque alia ratione Indulgentiam Altaris privilegiati non lucretur, possit satisfacere applicando aliam Indulgentiam plenarium defunctis, pro quibus ad altare privilegiatum celebrare debuerat? S. Cong. Indulgentiarum die 2 Maii 1852 respondit: Ad 1. Ut fruatur Altari privilegiato Sacerdos, diebus non impeditis celebrare debet Missam defunctorum et uti

paramentis nigris, vel ex rationabili causa violaceis. Ad 2. Negative.

Joseph Canus Ribezzo humillime postulat ut S. Congregatio Indulgentiarum declarare dignetur: Utrum haec responsio quoad 2^{am} partem sit apocrypha? et quatenus negative, utrum intelligenda sit etiam de Sacerdotibus, qui ad Altare privilegiatum celebrare debuerant et jam celebraverint, sed non cum paramentis nigris a rubrica non impeditis? et quatenus affirmative quomodo ipsa consiliari possit cum decreto ejusdem S. Congnisi. Indulgentiarum 22 Februarii 1847 in quo ad quaesitum: Qui (sacerdos) diebus permissis non celebravit in paramentis nigri coloris in Altari privilegiato ad acquirendam Indulgentiam Plenariam ad quid tenetur? responsum fuit: debet lucrari indulgentiam Plenariam pro iis defunctis quibus Missae fructum applicuit toties, quoties diebus non impeditis usus non est indumentis nigri coloris.

Sacra Congregatio Indulgentiis Sacrisque Reliquiis praeposita die 24 Julii 1884 proposito dubio respondit: *Responsio est authentica.* In decreto vero diei 22 Februarii 1847 tantummodo Sacerdotibus⁹ pro quibus postulabatur de ratione qua compensare debebant Indulgentiam Altaris Privilegiati ad quam applicandam obligarentur, et quam bona fide errantes, non erant lucrati, concessit S. Congregatio ut compensatio fieret per applicationem alterius Indulgentiae Plenariae toties quoties illam Altaris privilegiati non fuerant lucrati. Datum Romae ex Secretaria ejusdem S. Congregationis eadem die 24 Julii 1885.

J. B. Card. FRANZELIN, *Praef.*

Josephus M. Can. COSELLI, *Substitutus.*

SUMMARY.

Chaplains to Hospitals and similar institutions have not *vi institutionis et jure proprio* ordinary jurisdiction and parochial rights over the inmates. This belongs to the parish priest.

TUTELN. *Jurium Parochialium.*

1°. An capellanus *vi institutionis et jure proprio*, possideat omnes facultates proprii pastoris, nempe sacramenta omnibus in domo degentibus ministrandi, et defunctorum intra limites domus morientium, sepulturae praesidendi, et eorum corpora ad coemeterium conducendi, seclis auctoritate et juribus proprii pastoris paroeciae, in cujus territorio inclusa est monialium domus."

2°. "An vero proprius pastor paroeciae in qua extat oratorium, habeat in dicto oratorio, capellano tamen munito, et super omnes tam moniales quam puellas, aut pauperes, eandem potestatem ac in sua parochiali ecclesia, quoad sacramenta ministranda, et mortuorum sepulturam praesidendam."

Prout proponitur, ad 1^m NEGATIVE. Ad 2^m AFFIRMATIVE.

NOTICES OF BOOKS.

Letter of the Most Rev. Dr. Nulty, Bishop of Meath, to the Most Rev. Dr. Bagshawe, Bishop of Nottingham, on the avowed hostility of the Radical Party to Catholic Education in Voluntary Schools and the necessity of union between English and Irish Catholics to resist them.

A cherished feeling of half thankfulness and half triumph, is deepening into the hearts of Irishmen, that this generation is happy beyond comparison with its predecessors in being destined to see in the near future the sure victory of our long-lived hard-fought struggle. This is the natural result of the hopes that are entertained. And in good earnest is not public confidence well founded, whether we look to the nation that can produce such men, or the men that serve the nation? Every move in these eventful days shows the new position of intelligent power which the Irish people by a sort of magic effort has at last attained. Of this no better illustration need be desired than Dr. Nulty's vigorous letter to Dr. Bagshawe supplies. It is a fitting conclusion to the controversy that was carried on some time ago with considerable warmth in reference to a political union between Irish and English Catholics for purposes they all prize highly. The Bishop of Meath is a warm lover of his country, as everyone knows, and in this able letter gives a fine example of how patriotism like every other virtue should be pressed into the service of religion. If his Lordship expresses surprise at the action of some English Catholics in declining to support the Irish Parliamentary Party, it is not so much because the national question could be advanced by such aid, as because the most vital interests of religion in England, Christian Education above all, could be secured against threatened ruin, if intrusted to the same willing advocates who are commissioned to guard the welfare of Catholic Ireland.

The voluntary schools of our co-religionists beyond the Channel "seem utterly helpless, and wholly unprotected, and lie totally at the mercy of their deadliest enemies. They will hardly have even one true representative to open his mouth in their defence in the coming Parliament. And yet it appears to me that half a dozen of earnest, able, and experienced men, banded together in the House of Commons for the defence of these voluntary schools, would give them a better chance for their lives, than their manifest intrinsic justice and merit, or all the friendly efforts that can be made from without to save them. On the other hand, the Radical party is fiercely and fanatically bent on destroying them."

What the "justice and merit" of these institutions are, Dr. Nulty develops at length. Education is already compulsory in England. The Radicals wish to have it *gratuitous*, as far as

direct contributions are concerned, at the Board Schools, and nowhere else. Under specious taxation pleas, the determination has been avowed, of withdrawing the miserable pittance now allowed to voluntary schools, notwithstanding that under all disadvantages they can rival their favoured competitors even in secular subjects. When this is done, the voluntary schools are well nigh doomed, and the pagan State system becomes practically of obligation. It is against such a programme, so hostile to Christianity, whether its framers mean the aggression or not, that Dr. Nulty raises his manly voice. His lordship's argument for the rights of Catholics to have their children educated in a Christian manner, and not forced into dangerous institutions, is irresistible. If parents are bound by the law of nature to provide material food for their offspring, how much more under the law of grace are they obliged to secure for their children that Catholic Education, without which the spiritual life must languish and cease to exist? How much more are they bound to keep their children from schools where the atmosphere is deadly poisonous to souls?

"The parent who neglects to provide for the animal wants of his child and who sees it perishing with hunger and want when it is in his power to preserve it, is unnatural and more degraded than the beast is; but the parent who wilfully neglects the education of his child, is more degraded and more unnatural still, because the life of the soul is of vastly greater moment than the life of the body, and the spiritual hunger and thirst and destitution of the soul are the worst of all evils, because they are of a higher order and are often not merely temporal but eternal."

The School Board system ignores God and a future state; and hence it was to save their children from the irreligion of a godless education and the corrupting influence of its spirit, that Catholics in England have at enormous sacrifices maintained their voluntary schools. There was no other course for them in the past. They cannot turn to the Board Schools now. But they will have very little option in the matter unless vigorous opposition be given to certain Radical proposals. There is only one source from which effective resistance can spring, and the Bishop of Meath appeals to our co-religionists to imitate their brethren in France, sink smaller differences, and make a bold, triumphant, stand with the powerful aid now providentially at their disposal.

Already there are signs which go far to show that the Irish Parliamentary Party will fight the battle of Christian Education for the Three Kingdoms in the next Parliament. Already there are signs of Radical wavering before the well-trained band. For has not Mr. Chamberlain of late declared his intention not to interfere with the voluntary schools? But come what may of co-operation from English Catholics or opposition from English Radicals, the representatives from Ireland, happy in the consciousness of power to help the oppressed against the

oppressors, are not likely, as Dr. Nulty says so beautifully, to forget their kith and kin in England, or their obligations as Irish Catholics to any Christian cause. His lordship's letter breathes the generous spirit of our holy religion, and deserves careful attention from all concerned.

Aletheia ; or, the Outspoken Truth. By Right Rev. J. D. RICARDS, D.D. BENZIGER BROTHERS, New York, Cincinnati, and St. Ann's.

This book states the "outspoken truth" (*ἀληθεία*) about the rule of Divine Faith, in a manner that is at once ingenious and attractive. The subject, which must ever prove a source of contention between Catholics and those who reject the teaching authority of the Church, has been discussed over and over again, since the days when the Reformer of Wittenberg proclaimed private judgment the umpire of revealed truth. Its treatment, however, up to the present, was not such as to commend it to the tastes of a class of readers that have attained such proportions in our day, and cannot bring themselves to read anything that does not savour of that unhealthy ephemeral literature to which they are so slavishly addicted. It was to meet the requirements of these victims of light reading that the plan of *Aletheia* was devised. The author explains briefly and clearly the principles on which a Catholic relies when he accepts the authority of a divinely-commissioned Church, and rejects private judgment as the rule of his faith. These principles he establishes not indeed by acute and technical reasoning, but by means more suited to attain his end, viz., by "arguments briefly and tersely put, illustrations that amuse, and general anecdotes" joined to "exhortations in the style of Thackeray." Illustration and anecdote enter very largely into the plan of the book, and on their skilful use and application its peculiar excellence chiefly depends. The chapter on the "Vagaries of Private Judgment" will be found to have a special interest, as showing the foolish extremes to which different sects of Christians are driven by following private judgment as their rule of faith.

In attaching the attractiveness of a novel, as far as the subject permits, to the discussion of an important theological question, Dr. Ricards has produced a work which promises to have a wide circulation, and is calculated to do a great deal of good.

T. GILMARTIN.

Women of Catholicity. By ANNA T. SADLER. BENZIGER BROTHERS, New York, &c.

This is the second book of the kind that has come from a pen so full of promise. It contains short biographical sketches of some "Women of Catholicity," true children of Holy Church, "whose lives were spent in the practice of her precepts, and who thus made

manifest to the outer world the marvellous efficacy of her teaching in the formation of character." The heroines, in whose selection much care and judgment are displayed, are taken from different conditions of life, to show "that sanctity is possible in all circumstances, in the court as in the convent." The chief interest of the book, both for subject and description, centres in the biography of Isabella of Castile, "one of the purest and most beautiful characters in the pages of history." Her character is portrayed in all its stately grandeur, but especially, the prominent parts which she played in the Conquest of the Moors and in the discovery of the New World. We are not allowed for one moment to lose sight of the guiding principle of her life, viz., the exaltation of the Catholic Church and the glory of God; that principle which is so fully acknowledged by Prescott, who, when speaking of the war with the Moors, says, "she engaged in it with the most exalted views, less to acquire territory, than to re-establish the empire of the Cross over the ancient domain of Christendom." The others, whose lives are noticed, are less generally known, not that they were inferior in virtue and sanctity to the fair Spanish Sovereign, but the accidents of birth and position were not calculated to give them so prominent a niche in the Temple of Fame. Margaret of Offally, an Irish Princess of the fifteenth century, will be ever remembered as the patron of piety and learning; Margaret Roper, as the "good angel" of her martyred father, Sir Thomas More; while the names of Marie de L'Incarnation and Marguerite Bourgeoys must remain in the history of Canada prominently associated with the introduction of Christianity and civilization into that country. In the last biography we have the short but most interesting life of Ethan Allen's daughter, who, from being a sceptic and scoffer at all forms of religion, was at length miraculously converted to be one of its brightest ornaments. The lives of those last-mentioned are so replet with wonderful incident, that they appear more like the painting of fancy than the expression of reality. For the work which she has undertaken Miss Sadlier possesses qualities which give her a special fitness. She appears thoroughly imbued with the teaching of Catholic faith, and shows a keen appreciation of the virtues that adorn and elevate the character of her sex. Her style is clear and easy, and has an attraction which only makes us regret, that she was led to indulge so freely in extracts from the writings of others

T. GILMARTIN.

Sketches of African and Indian Life in British Guiana. By Very Rev. IGNATIUS SCOLES, V.G. The "Argosy Press," Demerara.

We are glad to see that this little volume has met with such a wide circulation, as, within a very short time, to render necessary the appearance of a second edition. Its popularity is owing to the fact that the different phases of African life are described by one

who has spent so many years among the people, and with a fulness of knowledge such as could be expected only from a Catholic priest. Any person who wishes to see Washington Irving accurately detailed, the manners and customs of the African residents in Guiana, or an Indian family painted to life, should read the "Sketches of African and Indian Life."

The Mysteries of the Rosary. By the author of "The Stations of the Cross, &c." London: BURNS & OATES.

This is a collection of sonnets on the fifteen mysteries of the Rosary. There are twenty-seven sonnets in all, and they are made into a book by a peculiar style of printing.

The thoughts of our poet are sometimes too far-fetched. One would think that a pious heart meditating on such sublime truths would not despise the noble, melting, terrible thoughts which naturally suggest themselves, to run after conceits and learned allusions. Another defect is the too frequent repetition of the Alexandrine verse.

The little book is nicely printed and bound, and is suitable for presentation.

Lectures Delivered at a Spiritual Retreat. Edited by a Member of the Order of Mercy, Authoress of "The Life of Catherine McAuley," &c., &c. New York: THE CATHOLIC PUBLICATION SOCIETY Co.: London: BURNS & OATES.

At a retreat in a convent in the South of Ireland, nearly thirty years ago, some lectures were delivered by a holy secular priest, who spoke without notes or memoranda. When each of the lectures was over one of the Sisters wrote it out from memory. She does not pretend to more than substantial accuracy. Many persons applied for copies of these lectures, and they are now printed, that all who desire them may have them within easy reach. The language is simple, the ideas sensible and solid; the little book will do good. It might be of use to preachers who have to speak on such subjects as are usually dealt with in Retreats for Religious.

We have received from Rev. J. S. Vaughan a letter questioning the accuracy of certain statements made by Father Murphy in his last Essay on "Faith and Evolution;" but as the controversy is now closed, we can do no more than mention that we have received such a communication.

Professor Ryan writes to disavow some of the unscientific views which, he says, were incorrectly ascribed to him by Father O'Dwyer in his Article, "The Telephone in relation to the Sacrament of Penance," which appeared in our last (November) number. Professor Ryan's reply will appear in the January number.—ED. I. E. R.



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